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Selections.

THE CHRISTIANA TREASON TRIALS.

OPENING SCENES.

UNITED STATES CIRCUIT COURT—JUDGES GRIER AND KANE.

AT 11 o'clock this morning (Nov. 24) the United States Circuit Court met for the purpose of commencing the cases of alleged treason, arising out of the disturbances which took place recently at a place called Christiana, in Lancaster county, during the progress of which Mr. Gorsuch was killed and his nephew badly wounded.

Shortly after 9 o'clock, a crowd of whites and blacks began to gather in the passage way through Independence Hall, and upon the stairway leading to the Court room, the doors of which were kept closed until about half-past 10 o'clock. Additional officers were selected by the U. S. Marshal, to preserve order. The crowd was very orderly. Benches were placed on either side of the Court room, capable of seating seventy or eighty persons; and these benches entirely filled up the vacant space then occupied. They were totally inadequate to the wants of the public, but equal to the capacity of the room.

The U. S. Marshal and officers of the Court did all in their power to accommodate the reporters of the public press and citizens generally, and the patience of each officer must have been sorely tried in his anxiety to please all who made demands upon him.

Long before the hour arrived for the court to meet, the seats were occupied by white men, and not a female made her appearance. We did not see a coloured man in the room.

The counsel who appeared for the United States, were U. S. District Attorney John W. Ashmead, Jas. R. Ludlow, Esq., and Geo. L. Ashmead, Esq. For the State of Maryland, Robt. J. Brent, Esq., and the Hon. Jas. Cooper. Counsel for Castner Hanway, John M. Read, Esq., Thaddeus Stevens, Esq., Joseph S. Lewis, Esq., of Chester county, and Theo. Cuyler, Esq.

The list of jurors summoned was called, and eighty-one answered to their names. The Court directed each defaulting juror to be fined $100, if they do not answer to-morrow morning. Judge Grier said he must compel attendance.

Applications were made to excuse the following gentlemen from serving on the jury: Thos. M'Kean, of Philadelphia city, through his counsel, produced a certificate from his physician of his sickness. Excused for the present.

Letters from Judge Bell, of Berks county, and George G. Leiper, of Delaware county, were read, in which they state that they are now holding Court as Associate Judges of their respective counties, but will be through this week. Excused until Monday next.

Wm. Platt, of Philadelphia city, certificate of physician—sick and hard of hearing. Excused from further attendance.

John Richardson, of Philadelphia city, asked to be excused on the ground of his being the President of the Bank of North America. This being refused, a certificate from a physician was presented, which asserted an affection of the bronchial tubes in applicant. Excused until next Tuesday.

John R. Neff, city, absent in another State. Excused until he returns.

George Cadwalader, absent from the city. Excused until to-morrow.

Charles Massey, city, asked to be excused on account of a disease of *angina pectoris*. Judge Grier said he himself was somewhat similarly affected. Held under consideration.

John Beck, of Lancaster Co.—is Principal of a Seminary of learning at Litiz, Lancaster Co., which cannot go on without him, asked to be excused. This application was presented by Thaddeus Stevens, Esq., who said it would break up a whole community if he was not excused. It would be a sort of treason.

Judge Grier said that if the school were conducted on the Professor's own private account, he would not excuse him, but as it was a public affair, he should be excused.

Jacob Hammer, of Schuykill Co., on account of his wife's sickness, was excused for two weeks.

Samuel Breck, of Philadelphia Co., is 81 years of age, and hard of hearing. Deemed sufficient excuse.

A. G. Broadhead, of Pike county, subject to periodical attacks of headache every ten days and hard of hearing. Excused.

Geo. W. Toland, city, is a member of the bar, and just left a sick chamber, and asked to be excused.

Judge Grier—Being a member of the bar not in full practice, is not a sufficient excuse. When he holds Court in the country districts, he frequently has lawyers on the juries. Ill health, however, will excuse him for two weeks. So ordered.

Frederick Frailey, city, is President of the Schuylkill Navigation Company, and has a duty to perform that no other person can do for him just at this time; asked to be excused.

Judge Grier said he would excuse him for two weeks, and by that time he thought the canals would be closed by ice, and the applicant liberated from his services.

Jas M'Conkey, of York county, and John Darby, of Franklin county, asked to be excused, on account of their hearing. Shown by certificate and excused.

Joseph Culbertson, of Franklin county, is 71 years of age, subject to vertigo in the head, and is hard of hearing.

Judge Grier—It seems as if the whole country is becoming deaf—an epidemic, I am afraid, is prevailing.

Caleb Taylor, of Bucks county, and Jos. D. Brown, of Philadelphia city, are hard of hearing. The latter is also an aged man. Both excused.

Valentine Hummell, of Dauphin, excused for two weeks on account of sickness.

Simon Cameron, of Dauphin county, on account of ill health, had to leave the city—excused for one week.

Charles Saylor, of Monroe county, excused, as he is a U. S. Post officer, and ought not to have been summoned, as Judge Grier remarked.

Caleb Cope, city, from infirmities, asked to be excused—passed for the present, as his age does not warrant it.

Lawrence Lewis, owing to his public duties, asked to be excused for two weeks—granted.

District Attorney Ashmead arose and said—Now that the list of jurors has been called, and we can tell who will be in attendance, I propose to proceed with the trial of Castner Hanaway to-morrow morning.

Judge Grier—Has the prisoner been arraigned and pleaded? Or is it the intention of the District Attorney that it shall be done to-day?

District Attorney Ashmead—There may be some preliminary matters to dispose of before the trial of the prisoners shall be commenced. I may find it necessary to move to quash the array of jurors If not, the United States will be prepared to proceed to-morrow morning. It is my intention to arraign the prisoners as they are called for trial.

Judge Grier said that in a case of such importance he did not wish to hurry them; but he wanted to get through one case in two weeks, so that he could be in Washington by that time.

Thaddeus Stevens, Esq., replied, that one case he hoped would be finished in half that time. Up in his county, they hang a man in three days, and he trusted that the gentlemen here would not ask for a longer time.

Judge Grier said that he had concluded to hold a night session. To meet at 10 A. M., and adjourn at 3—then meet at 5 and adjourn at 9 o'clock.

Messrs. J. M. Read and J. W. Ashmead remarked that two phonographic Reporters had been engaged to take the testimony, and, by the arrangements his Honour suggested, their reports would be useless to the counsel. They must have time to write out their reports. A session of two hours would require six hours labour from the phronographic Reporters to render it into the English, and then it is to be printed, and furnished every morning to the Court and counsel.

Judge Grier then said, they would try one session for a few days, beginning at 9 o'clock, and adjourning at 3 1-2. He also desired to know whether counsel had any suggestions to make as to the daily papers reporting the full proceedings every day. The Court might find some difficulty, if every body is to read the evidence, in getting jurors towards the close of these trials, to try the cases, as every body will have made up their minds as to the guilt or innocence of the prisoners. He left it for counsel to make some suggestions. He had found a precedent for keeping it from the public press; but he had nothing to say in reference to it himself. These cases would probably take until next Spring.

District Attorney Ashmead remarked—That the same jury that tried Porter for robbing the mail, also tried Wilson, after hearing the evidence.

Thaddeus Stevens, Esq. said—The court could not prevent letter writers from furnishing the testimony to other cities, where it would be published, and find its way back to this city in a very imperfect form. He thought it would be better to allow the Reporters employed by the city press, to take the whole testimony and proceedings, as they would be more likely to give a correct report.

Judge Grier said they could not prevent persons from taking the papers of other places and reading them. He therefore thought it would be better to let the subject take its course, trusting, at the same time, that the Reporters, who are a highly intelligent and respectable class of men, will make no remarks on the subject of testimony. If no other business is before the Court, we will adjourn.

Thaddeus Stevens—Perhaps this is the proper time to say, that if the District Attorney shall make a motion to-morrow to quash the array of jurors, we shall have something to say.

Judge Grier—When the arraignment takes place, will be the proper time.

The Court then adjourned until to-morrow morning at 10 o'clock.

SECOND DAY.—TUESDAY Nov. 25.

U. S. CIRCUIT COURT—Judges Grier and Kane.—The Court met this morning at 10 o'clock. As in the case yesterday, the Court Room and the avenues leading to it, were filled at an early hour to-day. What was scarcely to be expected during this trial, there were but few white females and coloured people present in the Court room this morning, although a number of the latter were in the entry near the room, and in the passage way through the first story. We observed one venerable Quaker lady present, whose name we could not learn. Police officers were again stationed at the foot of the stairway, who kept perfect order, and prevented a rush up to the Court room. A very few members of the Society of Friends were present, and these few were probably the personal friends and relatives of Castner Hanaway.

At the opening of the Court, the list of jurors was called, and the following named gentlemen who were absent yesterday, answered to their names, and of course were not subjected to the fine of $100 imposed by the Court upon all who should not answer by to-day, unless delayed by sickness, or unavoidable circumstances.

Hugh Campbell, it was stated by his counsel, is absent from the city, and had left it before the *venire* was ordered. He had not been served with a notice. Excused for the present.

David Cockley, Lancaster; Abrm. R. M'Ilvaine, Chester; Isaac Myers, Schuykill; Solomon Newman, ——; Peter Adams, Berks; Robt. Butler, Carbon; Peter J. Michler, Northampton, Samuel E. Stokes, being absent from the city, was excused for this week, but must attend when he returns and gets his notice.

Franklin Vanzant stated, that several of his children were sick, and asked to be excused for a few days. Excused until Monday next.

The fine of $100 was marked against the defaulting jurors named above.

Judge Grier asked if the District Attorney was prepared to proceed.

The District Attorney stated that he desired to call his list of witnesses, to see who were present and who absent. The list was called, and a large majority did not answer to their names.

Mr. Ashmead said he would now arraign Castner Hanway.

J. M. Read remarked that he was not going to move to quash the array of jurors, but he thought this case ought to stand upon the same law as the insurgents stood upon in 1799. The act of 1847 has taken this State out of the general rule, and turns us back upon the State law of 1789 The point taken by Mr. Lewis in the insurgent cases was, that the panel, which consisted of 108, was not in accordance with law. He supposed that there was an indictment in each count in that case, and that 60 were summoned on the general panel, and 12 from each county in which the indictment was laid. The court there sanctioned a panel of 72 only. Mr. R. then read from the act of 1785. He thought it was his duty to read this act at this time, that the summoning of 108 should not become a precedent, and he submitted whether this was to become binding. In the case of the insurgents, the panel consisted of 72, and the number of 80, to which they might have gone, was not exceeded. Judge Patterson, in deciding this case, went as far as language could go, to show that it had no application to the law of 1785. We therefore are thrown back upon the Common Law of England, as practised in the trial of Horne Tooke, where 228 jurors were summoned, or as in the Irish State Trials, where 800 were called. He admitted that these statutes did not apply to criminal cases. The decision of Judge Patterson was to place the Court in the same light as the King's Bench or the Oyer and Terminer, where 1500 jurors have been summoned for a challenge of 35. Judge Baldwin has decided that the U. S. District Attorney cannot challenge peremptorily, but may challenge for cause, without showing his cause until the panel is exhausted, the juror being set aside. By this means the District Attorney would have his own jury, and he did not wish this as a precedent in the other cases. He wished this to stand alone.

He then read from State Trials to sustain his views. If this was adopted, he could see no limit to the District Attorney's challenge. Burr's trial was referred to, to show that the additional jurors could be taken even in the case of a Grand jury. He submitted the matter to the court for their action.

Dist. Attor. Ashmead remarked, that the remarks of Mr. Read were irregular, as there was no motion before the court. He, Mr. A., had asked that the prisoner be arraigned. If the counsel for the prisoner would move to quash the panel, the U. States would agree on their part. The number of jurors summoned does not agree with the order of the court. as not less than 108 were to be summoned, and 106 were called—not less than 12 were to be taken from Lancaster county, whereas 16 were called. The act of Congress speaks of qualifications and not of numbers. He, Mr. A., wanted to proceed according to law, but if the counsel for deft. think it wrong, he would agree to quash.

Judge Grier—There is no motion before the Court.

Mr. Cooper asked if the opposite counsel intend to move to quash. He would agree.

Thaddeus Stevens said, if the United States would agree to admit the deft. to bail, good and sufficient, and have the trial take place in the county of Lancaster, he would move the quashing of the array of jurors, if not, he did not wish it quashed.

Mr. Ashmead said he did not wish to violate the law by admitting to bail in a case of treason; which was not a bailable offence.

Mr. Stevens thought it required a violent presumption to make this appear.

Castner Hanway was then arraigned, and the Clerk of the Court read from the bill of indictment the offence charged, to which the prisoner pleaded not guilty. The prisoner was accompanied to the place where he stood to plead, by his wife, who clung to his arm.

The clerk asked him how he would be tried, stating at the same time that it was a matter of life and death.

Hanway replied, he would be tried by God and his country—from which the clerk wished him a safe deliverance.

The first juror called was Solomon Newman. The prisoner was told to look upon him, and say whether he challenged him or not. His counsel after consultation, said—not challenged.

Mr. Ludlow, for the United States, said he had a series of questions he wished to put to each juror, after he had been passed upon, and accepted by the prisoner. They are as follows:

1. Have you any conscientious scruples upon the subject of capital punishments, so that you would not, because you conscientiously could not, find a verdict of treason, death being the punishment, though the evidence required such a verdict?

2. Have you expressed or formed any opinion relative to the matter now to be tried? Are you sensible of any prejudice or bias therein?

3. Have you formed an opinion that the law of the United States, known as the Fugitive Slave Law of 1850, is unconstitutional, so that you cannot convict a person indicted under it for that reason, if the facts alleged in the indictment are proved, and the Court hold the Statute to be Constitutional?

4. Have you formed or expressed any opinion as to the guilt or innocence of the accused, or of the other persons alleged to have participated with him in the offence charged against him in the indictment?

These questions gave rise to a long argument. J. M. Read said there appeared to be a number of questions, which might very well be confined in one general question. He took them up one by one, and commented upon them. To the one in reference to the constitutionality of the fugitive slave law, Mr. Read said he nor his colleagues intended to assail its constitutionality. But as the Circuit Court in Boston decided that jurors in cases of life and death were not to be judges of the law and fact, but were to have nothing to say upon the law—he wished to avoid this question, as it was not in conformity with the laws of Pennsylvania. According to the ruling in the Boston case, it may be the law there, but it is not here. He therefore objected to the way the question is put.

Mr. Ludlow, for the United States, said they wished to preserve the trial by jury in its purity, and prevent persons getting into the jury-box whose minds have determined the nature of the offence in advance, from prejudice and opposition to a particular law. If a question is asked a juror, whether he has made up his mind as to the guilt or innocence of a juror, and he was to reply that he thought him guilty, he certainly would not be permitted to go into the jury-box to try the case.

Judge Grier said—It was the vagueness of the question that was objected to—as it now stood, it would be difficult for any one to answer it.

Mr. Cooper replied that it was the question put in the Shadrach case: but they had no objection to modify the question, and make it more specific.

Mr. Stevens asked the counsel for the United States to turn his attention to another point in the objection—and that was, whether it was not their duty to challenge first, and then, after the prisoner had decided as to his own challenge, whether they (the United States) were not precluded.

Judge Grier—So far as my experience and that of my brother on the Bench go, the practice is as we are now proceeding.

J. Lewis, for the prisoner, said his practice and experience were otherwise.

Mr. Cooper remarked—That the United States had no challenge, but a conditional one for cause, and therefore could not challenge first.

District Attorney Ashmead read the law as laid down by Judge Baldwin, in the cases of Porter and Wilson, in reference to challenges, and whose duty it was first to challenge.

Mr. Ludlow went on to argue the propriety of the question put by him to the juror. He said it would be a farce in the trial to allow a juror to go into the jury box, whose opinion is, that the fugitive law is unconstitutional, and that no matter what act is committed in the county of Lancaster, it will not amount to treason.

Judge Grier and Kane took the written questions to examine, and after consultation, Judge Kane said that he was requested by Judge Grier to say, that it was due to the prisoner, as well as to the purposes of justice, that, as far as possible, the jurors to try this case should be without bias. That the offence charged consisted of two elements, the act and the intent of the act; and therefore it was proper to know the effect deducible from either on his mind. The questions were slightly modified.

Solomon Newman, of Pike, set aside for the present at the suggestion of the United States.

David George, Blockley, set aside by the U. S.
Jonathan Wainwright, Philad. do. do.
Erskine Hazzard, challenged by deft.
John Miller, Berks, do. do.
Ephraim Fenton, Montgomery, set aside by U. S.
Robert Walsh, Philadelphia, had read the papers about this case, and had formed his own conclusions. He was challenged for cause.

Mr. Cooper thought sufficient cause had not been shown by the answer of the juror, to challenge him for cause. He quoted the case of Aaron Burr, and the decision of Judge Chase in the case of Callender, who was tried for libel, in the latter of which the juror said that he had made up his mind that the book was a libel; but he did not know that Callender was the publisher.

Judge Grier said—The question was whether the juror had sufficient bias as to exclude him. The Court thought not. At this time every great crime is published from one end of the land to the other, and read; and he had no doubt that if every one who read the newspapers about it were asked, they would say they had made up their minds. No jury could be had in that case, except those who were either blind, or could not read. Another question could be asked the juror before he was rejected as follows—if he has formed an opinion that the transaction with which the deft. is charged, is treason, and the person on trial was connected with it.

The juror replied, that he had read the charge of the Judge to the Grand Jury, and thought the act was treason. Rejected for cause.

James Lowden, Lancaster, not challenged by deft.—set aside by the United States.

Robert Elliot, Perry, not challenged by deft.—questions read to him by Mr. Ludlow for the U. S.; he answered all the questions satisfactorily, and was sworn as a juror—the first one empannelled.

John Reynolds, of Lancaster—Had in company spoken of this case, and had expressed an opinion, that the white persons, if any were engaged, were more culpable than the slaves; but have expressed no opinion as to the guilt of the deft. In answer to another question, he answered, that his mind was in doubt as to whether this act was treason; but if it was not treason, he could not see how treason could be committed against the United States by levying of war, because the United States would not permit a large army to be mustered.

Mr. Stevens said, by his answer, the juror had shown he was not competent to be sworn.

District Attorney Ashmead replied to Mr. S., and argued that the juror had expressed an opinion only of the transaction; but had not said that the deft. was one of the guilty party. He had not said, that he would not take the opinion of the Court as to what the offence is.

Judge Grier said—As to whether the offence is treason or not, the answer is just such an one as he would give himself.

The juror again reiterated what he before said.

Mr. Stevens thought bias had been shown by his answer.

Judge Grier remarked that he understood the juror to say, that he had not made up his mind as to the nature of the offence.

Mr. Cooper replied—that the juror had said that he was open to take the opinion of the Court as to whether the offence was treason or not. He would like the question settled now to prevent delay hereafter.

J. M. Read thought that if the words used by the juror were taken together, they would be found to amount to an opinion that the offence is treason—the words, that the white men were the most guilty, showed a bias.

District Attorney Ashmead remarked, that the juror said, if any were guilty, the white men were the most guilty.

Judge Kane said—That an opinion by the juror as to the character of the offence is not, of itself, sufficient to disqualify him from serving, if he is prepared to take the character of the offence from the Court, and is instructed otherwise.

Judge Grier thought this answer only amounted to the degree of moral guilt between the ignorant persons engaged in the crime, and the intelligent ones. Challenged by defts.

John Horn, Philadelphia, had expressed an opinion that the act did not amount to treason.

Stevens—Would you alter that opinion, if directed otherwise by the Court.

Juror—If the Court would make the case quite clear, and satisfy my mind that I was wrong, I would. Not challenged by deft., and rejected for cause by U. S.

James Wilson, of Adams, in answer to the questions read to him, answered that as far as his judgment went, he would support the Court of the United States, sworn to try the cause.

John Kraus, Lebanon, in answer to the questions, replied that he would be governed by the testimony and the law, but is opposed conscientiously to capital punishment, and would not like to serve where that would be the penalty.

He was not challenged by the deft. Set aside by U. S.

Samuel Small, York—in answer to questions, said that he had formed and expressed an opinion from reading the papers, that the offence was not treason, but it might be altered otherwise by the Court. Challenged by deft., but challenge subsequently withdrawn and set aside by U. S.

Caleb Cope, called, and did not answer. Ordered to be fined $100.

Thomas Connelly, Carbon—answered satisfactorily all the questions, and was sworn.

John G. Watmangh, Philadelphia—Answered that he had formed an opinion, and to his fellow-citizens had expressed himself decidedly against the whole matter. Challenged for cause by deft., and rejected.

Josiah Rich, Bucks—Not challenged by deft., but set aside by U. S. for the present.

Matthias W. Baldwin, city—not challenged by deft., but set aside by U. S.

George Smith, Delaware—not challenged by deft., but set aside by U. S.

Solomon Diller, Lancaster—not challenged by deft., but set aside by U. S.

Evans Rogers, Philadelphia, had formed and expressed an opinion upon the subject. Challenged by deft., and rejected.

THIRD DAY.—WEDNESDAY, Nov. 26.

The Court resumed the trial of this case at 10 o'clock. The same anxiety was manifested by the public to hear the case as upon the preceding days, and the Court room was again filled to overflowing at an early hour. Too much praise cannot be bestowed upon the U. S. Marshal and his gentlemanly deputies for their unceasing efforts to accommodate all who desire to hear the case. The seating of every person who desires to be present, of course, cannot be accomplished; but those who are compelled to retire for want of space to pack their bodies, do so with pleasant feelings, as they feel assured that every effort has been made to gratify them by the officers in attendance. The officers connected with the Marshal's Police force are also very attentive, and keep excellent order in the passage ways leading to the Court room.

The prisoner to-day, as yesterday, displayed the greatest self-possession during the selection of jurors, and the argument consequent upon their rejection or admission to try him. He is apparently about 35 years of age, tall, but spare in form, and inclining to stoop a little. There is a becoming seriousness in his countenance, but nothing like alarm or trepidation is visible. When called upon to look at the juror summoned to try him, he does so with a firm and inquiring look, but never determines upon his admission or rejection until he has consulted Thaddeus Stevens, Esq., who sits immediately at his side. Upon Mr. Stevens' judgment or knowledge of the juror he seems to rely implicitly. The jurors summoned from Philadelphia City and County are generally challenged by the prisoner, as probably the reader will have perceived by the reports of the trial. This may arise from the supposition in the mind of his counsel, that people in Philadelphia have been more affected in their feelings by the elaborate reports, and remarks thereon, of the primary hearing which took place in Lancaster county a few days after the occurrence which is the basis of this trial, than persons from distant counties.

The following are the names of the jurors empannelled yesterday—Robert Elliott, of Perry; James Wilson, of Adams; Thomas Connelly, of Carbon; Peter Martin, of Lancaster, and Robert Smith, of Adams—5.

Eight jurors were challenged peremptorily by deft. and eleven for cause. Thirteen were set aside by the counsel for the United States.

About the same number of ladies were present to-day as yesterday.

At the opening of the Court, Judge Grier informed the counsel engaged in the case, that a number of jurors had been challenged for cause, that would exclude them from every jury in the trial of these cases, and as it was hardly worth while to keep them here from their families, if there was no objection, he would discharge them for the term. No objection being made, they were discharged.

Mr. Brent, Attorney General of Maryland, was admitted to practice in this Court.

Caleb Cope appeared this morning and made a statement to the Court in relation to his non-attendance yesterday. The fine of $100 was released, and Mr. Cope excused for the term.

Peter Adams was excused for the present, on account of sickness, and the fine of $100 for non-attendance remitted.

On the call of the roll of jurors, Robert Butler, Abraham M'Ilvaine, Peter S. Michler and Isaac Myers failed to appear. Peter S. Michler was excused until December 8th, and fine remitted.

The names of the five jurors were called who were empannelled yesterday, and they all answered and took their seats.

Joshua Elder, of Dauphin, not challenged by deft. but set aside by counsel of the United States for the present.

William Watson, of Bucks, not challenged by deft., but set aside by counsel for United States for the present.

John T. Bazley, of Bucks, had expressed an opinion of the matter now to be tried. Challenged for cause, by deft.

Wm. Williamson, of Chester—had not expressed an opinion or made up his mind upon the nature of the offence charged. Challenged peremptorily by defendant.

Philip Smyser, of York—The first question was put, when Judge Grier said, that that question might be stricken out altogether, as it depended upon those which follow it.

Mr. Stevens thought so too.

Mr. Smyser, the juror, then said, when another question was put to him as to the nature of the offence, that he had made up his mind whether it was treason or not. Rejected.

Fred. Hipple, of Lancaster—set aside by counsel of United States.

Levi Merkle, of Cumberland—not challenged by deft.; set aside by counsel of United States.

James Harper, of Phil.—had read the newspapers and had arrived at the conclusion that the laws had been violated, and if the persons could be discovered they ought to be punished.

Judge Grier said this was not sufficient cause to reject. Challenged peremptorily by deft.

Paul S. Preston, of Wayne, not challenged by deft., but set aside by counsel for United States.

A difficulty here arose, as to how many peremptory challenges were made by deft.—the United States counsel contending that ten had been challenged peremptorily, and the counsel for deft. asserting that it was but nine. On comparing notes, it was discovered that the United States counsel were right.

Edward Davies, of Lancaster—Not challenged by deft., but set aside by United States counsel.

Moses W. Coolbaugh, of Monroe—Had expressed an opinion, when he read the account in the papers, that it was a great outrage upon the community—had not made up his mind upon the other questions. Challenged peremptorily by prisoner.

David West, of Chester—Not challenged by deft., but set aside by United States counsel.

Daniel O. Hitner, of Montgomery—Might have thought something about whether it was treason, but did not know that he had made up his mind about it.

After considerable consultation between the deft. and his counsel, the juror was challenged peremptorily.

Wm. R. Sadler, of Adams—Not challenged by deft. Questioned by Mr. Ludlow; answered satisfactorily, and was sworn to try the cause. This makes the sixth juror empannelled.

James M. Hopkins, of Lancaster—Not challenged by deft. Questioned by Mr. Ludlow; he answered, that he had not any conscientious scruples as to capital punishment. This was the only question asked him, and he was sworn to try the cause—making seven.

James Whitehill, of Lancaster—Challenged by deft.

George A. Madeira, of Franklin—Not challenged by deft. Set aside for the present by counsel for United States.

Wm. H. Keim, of Berks—Not challenged by deft. Set aside by counsel for United States.

Wm. Stevens, of Bucks—May have formed an opinion by reading the newspapers, but nothing as to whether the deft. is guilty—did not see how a person could help forming some opinion. Challenged peremptorily by defendant.

John A. Brown, of Philadelphia—Had read the newspapers, and thought the persons engaged in it were guilty of a breach of the peace; he would take the nature of the offence from the Court, as he was not competent to judge of the offence. Challenged by deft. peremptorily.

Hartman Kuhn, of Philadelphia—Had formed and expressed an opinion as to the the matter. Challenged by defendant for cause.

Martin Newcomer, of Franklin—Had formed an opinion upon this subject. Challenged for cause.

Judge Grier said—If they chose to ask other questions, they could do so; but the Court would not interfere, if both sides were afraid of him.

Mr. Stevens—The first question is enough.

Gen. Cadwalader, of Philadelphia—Had formed some opinion, but not such a one as to affect the prisoner. Challenged by the prisoner peremptorily.

Mr. Ludlow asked that Martin Newcomer be recalled, as they had not asked the questions necessary, and wished now to do so.

Mr. Stevens thought they ought not to be allowed to recall a witness whom they had challenged, unless they would also allow the deft. to recall others.

Judge Grier said—That the juror's answer he did not consider *per se* sufficient to exclude him; but he had refused the deft. to withdraw his challenge, and could not allow it in this case.

Robert Patterson, of Philadelphia, had read the papers in reference to this case, and had thought much upon it, but had not made up his mind, whether the offence is treason. He would take that from the Court, as they were much more able to determine that question than he was. Challenged peremptorily by the deft.

Andrew K. Witman, of Lehigh, had formed some opinion as to whether it was treason or not. He thought it was a similar case to that of Res Republica against Frees. Rejected.

Mr. Cooper thought the answer was not sufficient. The juror was recalled.

Mr. Stevens said, if the 3d question is to qualify all the others, there is no need of putting the others. They are mere tautology. The juror has said, that he looks upon the Christiana affair as like Frees' case, which was declared treason.

Judge Grier said, if he had made up his mind that it was not treason, he would not be qualified; therefore, if he has made up his mind the other way, he is equally unfit.

Judge Kane—It may be necessary to modify our previous ruling in this case, if we are to take jurors who have read all about this case, it may be indispensable for the furtherance of justice, that jurors shall be entirely free from bias on either side.

Mr. Read said, that the juror's answer was stronger than if he had said he believed the offence treason; for then he might have been asked what he meant by treason; but he here cites the case of Frees, who was notoriously convicted of treason, and pardoned.

Judge Grier said—that some newspapers had attempted to decide the nature of this offence in advance. The Post Office had been filled with papers from the Athens of America, as she calls herself, in which this whole case is settled; for which he did not thank her. If this thing was persisted in, he would have to instruct the jury not to look at papers from that quarter.

Mr. Stevens—I hope your honour will direct them not to look at missives from the other quarter.

Judge Grier—had not seen any.

Mr. Stevens—I have, but they have not convinced me any more than the others have your Honour.

Michael Jenks, of Bucks—Not challenged by deft. but set aside by United States counsel.

David Cockley, of Lancaster—Had formed an opinion—Challenged for cause by deft.

James Penny, of Lancaster—Not challenged by deft.—set aside by United States counsel.

Ferree Brenton, of Lancaster—Not challenged by deft.; set aside by counsel of United States.

Patrick Brady, of Philadelphia—Had made up his mind that it was a great outrage against the laws. Challenged peremptorily by deft., as the Court did not think the answer sufficient to challenge for cause.

John O. Deshong, of Delaware—Challenged and set aside.

George Marks, of Lebanon—Challenged and set aside.

Strange N. Palmer, of Schuylkill—Had conscientious scruples against capital punishment, but would not violate his oath after he had voluntarily taken it. He had published much as an editor of a paper, but had not made up his mind upon the case. Considerable difficulty was experienced to get out of him what he meant by a voluntary oath. Set aside by counsel for United States.

Franklin Starboard, of Franklin—not challenged by deft. but set aside by counsel for United States.

Isaac Mather, of Montgomery—not challenged by deft.—set aside by counsel for United States.

Levi Markle, was called a second time. The Clerk said he called it out 86 when he should have called 68—he had read him upside down.

Mr. Stevens—you had better make him right then, if you have got him upside down.

John B. Rutherford, of Dauphin—not challenged by deft.—set aside by counsel for United States.

Diller Luther, of Berks—had formed no conclusive opinions, but impressions had been made upon his mind which he had stated. Challenged peremptorily by deft.

James Gowen, of Philadelphia county—may have expressed an opinion as to the atrocity of the act, but not as to the guilt of the prisoner; have not come to a conclusion that the act is treason, but have my impressions about it.

Mr. Stevens—have you expressed an opinion as to its being treason?

Juror—I have not—Challenged by deft. peremtorily.

David Lyons, of Delaware—had expressed an unfavourable opinion as to the course of the persons engaged in the act.

Mr. Stevens asked that he might be set aside.

Mr. Ludlow asked him other questions, which were answered negatively. Mr. Ludlow said he was a competent juror.

Mr. Stevens—he has shown prejudice in his answer, by saying he had an unfavourable opinion of the gentlemen engaged in that particular act.

Mr. Read took the same view of the answer, and said that he had not only thought so himself, but had expressed it.

Judge Grier said—The expression of an opinion as to the grade of an offence, was not sufficient to exclude. He did not think it sufficient to challenge for cause—as in that case you might challenge every man in the community. Challenged peremptorily by deft.

John S. Schroeder, of Berks—Answered satisfactorily all the questions. Challenged peremptorily by deft.

Jacob Grosh, of Lancaster—Not challenged by deft.; set aside by counsel for U. S.

John Junkin, of Perry—Not challenged by deft.—Questioned by Mr. Ludlow—Had read the publications, but had not formed or expressed an opinion—would take the law from the Court whether the act is treason or not. Sworn to try the cause—making the eighth.

Jacob Kechline, of Northampton—challenged peremptorily by deft.

George Ladley, of Chester—not challenged by deft.—set aside by counsel for U. S.

John H. Kinnard, of Chester—Had not formed any opinions about the matter. Not challenged by deft.; set aside by counsel of U. S.

The Clerk gave notice that the panel was exhausted. Mr. Ashmead said, that but 82 had been called, and there were more than that number in attendance.

The Marshal said that 83 were in attendance.

Peter Adams, of Berks, who had been excused on account of sickness, just at this moment arrived.

Wm. Stavely of Bucks—had not made up his mind upon the subject. Challenged peremptorily by deft.

Peter Adams, of Berks—said he was subject to a chronic cough, which affected him if he walked a single square. Excused for the term, and the fine of $100 remitted.

The absentees were then called, and are as follows; Robt. Butler, Abm. M'Ilvaine and Isaac Myers, neither of whom answered.

The first juror who was set aside yesterday, was then called, and the others in their proper order, and are as follows—

Solomon Newman, of Pike—Questioned by Mr. Ludlow—Had not made up his mind upon any of the questions asked.

After consultation among the counsel for the United States, the juror was directed to be sworn. This makes the ninth.

David George, of Philadelphia county—Had conscientious scruples against capital punishment. Challenged for cause by U. S.

Jonathan Wainwright, of Philadelphia county—Expressed an opinion at the time the offence occurred; and thought the parties ought to be punished, as it was a great outrage; but had not made up his mind upon the question asked.

Judge Grier—Swear the juror.

J. M. Read—He wanted to know whether they had waived their right to a peremptory challenge, where a juror had been set aside without their having challenged him.

Judge Grier thought the party had the right to select him as their juror, when called, and had not done so; they therefore had exercised their right.

The juror sworn to try the case—making the tenth.

Ephraim Fenton, of Montgomery—is opposed to capital punishment, but would be willing to do his duty, under the charge of the Court—would take the nature of the offence from the Court, as a matter of law. Sworn to try the cause—making eleven.

James Cowden, of Lancaster—had read something in reference to the offence being treason, but had not made up his mind.

The counsel for the U. S. consulted together, when Mr. Cooper said, that they wished to ask another question, that the juror might explain what he meant by saying that he had not made up his mind as to this particular case. Mr. C. said that was—whether he had expressed his views to any person as to the Christiana case.

The juror said he had meant that he would take the law from the Court, as to whether the offence was treason or not.

It was then agreed that he should be sworn; but as to-morrow is Thanksgiving day, it was agreed between the counsel, that he should not be sworn until Friday morning.

Judge Grier remarked—That he was very much pressed for time, as he wanted to finish this cause by next Saturday a week, so that he might attend to duties which called him to Washington. He had no right, however, to consult his own convenience at the expense of so many jurors as were empannelled.

If they were once committed to the authority of the officers, they would not separate until they had finished the case. Were it not for this, he would have held Court on Thanksgiving day, and would even doubt whether he should not hold it on a Sunday.

He would, however, again request the jurors not to allow any body to talk with them as to the law or the facts of the case, nor read any papers that attempted to settle the law which governed it, whether they came from the East, West, North or South.

Formerly newspapers were willing that a cause should be tried before they passed upon the law; but now in some quarters they attempt to settle the law, even in advance of the case being on trial.

Judge Kane informed the jurors empannelled, that the Court had made arrangements with the proprietor of the American Hotel, for a suit of rooms, where they could take their wardrobe, and make themselves as comfortable as their situations would warrant.

The jurors not empannelled were notified that no list of jurors would be called again before next Monday a week, and such as wished to return to their homes or attend to their respective businesses, could now take the opportunity.

No fine would be imposed for non-attendance at Court up to that time. This gave general satisfaction to the jurors.

The Court was then adjourned until Friday morning, at 10 o'clock, when the twelfth juror will be sworn, and the case be fairly commenced.

The following are the names of the jurors to try this cause: Robert Elliott, of Perry; James Wilson, of Adams; Thomas Conelly, of Carbon; Peter Martin, of Lancaster; Robert Smith, of Adams; Wm. R. Sadler, of Adams; James M. Hopkins, of Lancaster; John Junkin, of Perry; Solomon Newman, of Pike; Jonathan Wainwright, of Philadelphia county; Ephraim Fenton, of Montgomery, and James Cowden, of Lancaster, who is to be sworn on Friday morning—making the twelve.

FOURTH DAY—FRIDAY, Nov. 28.

U. S. CIRCUIT COURT—Judges Grier and Kane.—The Court resumed the trial of the case of Castner Hanway, this morning.

The impression has gone abroad, that the prisoner is a member of the Society of Friends, and many suppose, that he appears in Court arrayed in the peculiar dress of that sect. This is a great mistake. He may be a member of that respectable body of our citizens; but so far as his external appearance warrants an inference, we should say that he is not a member.

He is dressed in a full suit of fashionable black clothes, with a black silk neck handkerchief, and standing collar. His demeanor to-day, was the same as we have previously described it—respectful and reserved.

A greater number of ladies were in attendance than on any previous day, but the same absence of coloured people was visible.

The court-room was densely crowded, and every avenue leading thereto thronged with anxious but disappointed persons. Notwithstanding this, the most perfect order and decorum was manifested by the crowd. James Cowden, of Lancaster county, the juror who was chosen on Wednesday last, but not sworn, was called and sworn.

The jurors to try Hanway stands as follows:

Robert Elliott,	James M. Hopkins,
James Wilson,	John Junkin,
Thomas Conelly,	Solomon Newman,
Peter Martin,	Jonathan Wainwright,
Robert Smith,	Ephraim Fenton,
Wm. R. Sadler,	James Cowden.

After the jurors were seated, District Attorney John W. Ashmead, in opening the case to the jury, addressed them substantially as follows:

May it please the Court—Gentlemen of the Jury:

It becomes my duty, as the officer charged by the law with the prosecution of crimes and offences against the laws of the

operative and ineffective, is in legal estimation, high treason, being an usurpation of the authority of government. This construction of the Constitution of the United States has been cotemporaneous with the adoption of that instrument, and every judge, whether state or federal, whose attention has been directed to the subject, has agreed in this interpretation. It was so held in the cases of the Western insurgents, in 1795; and in the case of the Northampton insurgents, in 1799, in the case of Aaron Burr, in 1807, by Judge Story, in his charge to the grand jury, in 1842, by Judge King, President of the Court of Common Pleas of this county, in his charge to the grand jury in 1846, and in 1851, by his Honour Judge Kane, who reviewed the whole law upon this subject, in a clear and conclusive opinion, which has been before the country since the 29th of September last.

The treason charged against the defendant is, that he wickedly devised and intended to disturb the peace and tranquility of the United States, by preventing the execution of the laws within the same, to wit: a law of the United States, entitled "An Act respecting fugitives from justice, and persons escaping from the service of their masters, approved February 12, 1793," and also a law of the United States, entitled "An Act to amend, and supplementary to the Act entitled 'An Act respecting fugitives from justice, and persons escaping from the service of their masters, approved February 12, 1793,'" which supplementary Act was approved the 18th of September, 1850, generally known as the Fugitive Slave Law. The overt acts, which may be considered as the evidence or manifestation of the manner in which the treason was committed are set forth in the indictment as follows:

First.—That on the 11th of September, 1851, in the county of Lancaster, and within the jurisdiction of this Court, the defendant, with a great number of persons, armed and arrayed in a warlike manner, with gun swords and other weapons, assembled and traitorously combined to oppose and prevent by intimidation and violence, the execution of the laws of the United States already adverted to, and arrayed himself in a warlike manner against said United States.

Second.—That at the same time and place, the said Castner Hanway assembled with others, with the avowed intention by force and intimidation to prevent the execution of the said laws to which I have alluded, and that in pursuance of this combination, he unlawfully and traitorously resisted and opposed Henry H. Kline, an officer duly appointed by Edward D. Ingraham, Esq., a Commissioner of the Circuit Court of the United States, from executing lawful process to him directed against certain persons charged before the Commissioner with being persons held to service or labour in the State of Maryland, owing such service and labour to a certain Edward Gorsuch, under the laws of the State of Maryland, who had escaped into the Eastern District of Pennsylvania.

Third.—That in further execution of his wicked design, the defendant assembled with certain persons who were armed and arrayed with the design, by means of intimidation and violence, to prevent the execution of the laws already alluded to, and being so assembled, knowingly and wilfully assaulted Henry H. Kline, and the officer appointed by the Commissioner to execute his process, and then and there, against the will of the said Henry H. Kline, liberated and took out of his custody persons before that time arrested by him.

Fourth.—That the defendant in pursuance of his traitorous combination and conspiracy to oppose and prevent the said laws of the United States from being carried into execution, conspired and agreed with others to oppose and prevent by force and intimidation, the execution of the said laws, and in the ways already described, did violently resist and oppose them.

Fifth.—That the defendant in pursuance of his combination to oppose and resist the said laws of the United States, prepared and composed divers books and pamphlets, and maliciously and traitorously distributed them, which books and pamphlets contained incitements and encouragements to induce and persuade persons held to service in any of the United States by the laws thereof, who had escaped into this district, as well as other persons, citizens of this district, to resist and oppose by violence and intimidation the execution of the said laws, and also containing instructions how, and upon what occasions, the traitorous purposes should and ought to be carried into effect.

The overt acts which I have now described embrace all the charges which the Government presents against this defendant. I need not say to you that they are altogether of an extraordinary character, and such as, in this country, are but seldom presented for the consideration of a Court and jury. In monarchical governments, it is true, crimes of this description are of frequent occurrence, but in a government like ours they are but seldom committed. The tyranny to which the subjects of despotisms are exposed, may so burden and oppress them that longer submission becomes intolerable, and they are driven to efforts to shake it off. The failure to succeed involves them in the guilt of treason, and trial and conviction for the offence follow as a consequence.

In governments so constituted, the only hope for a change exists in revolution, and hence the attempt made is to overturn the whole faoric of government. Under such circumstances, treason may become patriotism, and the friends of liberty throughout the world may ardently wish for its success. No such excuse, however, exists with us; for our institutions are based upon the inherent right of the people to change and modify their form of government. In the Constitution of the United States, as well as in those of the several States, modes are provided by which their provisions can be altered. If obnoxious acts of Congress are passed they can be changed or repealed. Hence this defendant, if he has perpetrated the offence charged in the indictment, has raised his hand without excuse or palliation against the freest government on the face of the earth. He has not only set its laws at defiance, by seeking to overturn them, and to render them inoperative and void: but the conspiracy into which he entered, assumed a deeper and more malignant dye, from the wanton manner in which it was actually consummated. I allude to the murder in which it resulted. An honourable and worthy citizen of a neighbouring State, who entered our commonwealth under the protection of the Constitution and laws of the Union, for the purpose of claiming his property under due process of law, was mercilessly beaten and murdered, in consequence of the acts of the defendant and his associates. It is a disgrace upon our national escutcheon; a blot upon the fair fame of Pennsylvania; and a reproach which nothing short of the conviction and punishment of the offenders can ever wipe out. It is for you, gentlemen of the jury, to judge of the evidence which the Government will submit in this case; and I need not say to you, that if it proves the defendent to have been one of the actors in the bloody tragedy of Christiana, that you will find him guilty of the offence.

I desire, however, in the course of my remarks, to say nothing which may be calculated in any way unnecessarily to inflame your minds against the defendant. I trust he may be able to convince you that he had no participation in the dreadful transactions of the 11th of September, and thus rescue his name from the obloquy and infamy which would otherwise attach to it. He has a right to demand a fair and impartial hearing at your hands, and a candid and dispassionate consideration of the testimony which he may produce. Nay, he is entitled to even more than this; for every reasonable doubt which may arise in the cause is to be resolved in his favour. He is not to be required to establish his innocence, but it is for the prosecution to make out and prove his guilt. The Government of the United States does not ask any man's conviction on testimony which is uncertain in its nature, and not adequate to establish the facts for which it is adduced. On the other hand, we have a right to expect from you a fair and impartial discharge of public duty. A heavy responsibility rests upon you, and there is no way of evading its requirements. If it can be shown by competent and credible testimony that the defendant is guilty of the offence which is charged in the indictment, it is essential to the peace of the country that you should say so by your verdict. Justice requires it, and the obligation of your oaths demand it.

I need hardly say to you, that the outrage perpetrated at Christiana was, in my judgment, treason against the United States: and all who participated in it are guilty of that offence. It was a concerted and combined resistance, by force, of a statute of the United States, and was made with the declared intent, so far as the defendant Hanway was concerned, to render its provisions void, and to make the act altogether inoperative. The proof against him will be clear and convincing, and such as to satisfy every one of his guilt. The overt acts will be established by the testimony of more than two witnesses, in so pointed and distinct a manner that no question of their truth can exist.

In order that you may fully understand the character of the evidence which we propose to introduce, I will give you a brief narrative of the facts as they will be detailed by the witnesses.

On the 9th of September last, Edward D. Ingraham, Esq., a Commissioner of the United States, issued four warrants, directed to Henry H. Kline, an officer appointed by him under the authority of the Act of 13th September, 1850, commanding him to apprehend Noah Buley, Nelson Ford, Joshua Hammond, and Geo. Hammond, who had been legally charged before the said Commissioner with being fugitives from labour, who had escaped from the State of Maryland into the State of Pennsylvania, and owed such service and labour to a certain Edward Gorsuch. The fact that the writs had been issued, became known to a coloured man living in this city, named Samuel Williams, who preceded the officers to the neighbourhood where the slaves resided, and where the arrests were to have been made, and gave notice that they were coming to execute them. On the 11th of September, Kline and his party, consisting of Edward Gorsuch, Dickerson Gorsuch, Joshua M. Gorsuch, Dr. Thomas Pearce, Nicholas Hutchings and Nathan Nelson, proceeded to Christiana, Lancaster county, and, on arriving there, started for Parker's house, a place about three miles distant from the railroad depot on the Columbia road, which they reached about daylight in the morning. While proceeding along the road, and across the fields, their attention was arrested by the sound of horns, and the blowing of a bugle. After watching about Parker's house for a short time, one or two negroes were seen coming out of it. On discovering Kline and his party, they fled back into the house, and on pursuit being made by him, they ran up stairs. These negroes were recognised by Edw. Gorsuch, and known to be his slaves. Kline entered the house, and almost immediately ascertained that a large number of negroes were concealed in the upper part of it; he nevertheless went to the stairway and called the keeper of the house to come down, stating that he was desirous of speaking to him. The negroes at this time were heard loading their guns. Kline hearing the noise, said to them that there was no occasion for arming themselves—that he designed to harm no one, but meant to arrest two men who were in the house, and for whom he had warrants. Some one replied they would not come down. Edward Gorsuch then went himself to the stairway, called his slaves by name, and stated that if they would come down and return home, he would treat them kindly, and forgive the past. Kline then read the warrants three times, and afterwards attempted to go up stairs, when a sharp-pointed instrument was thrust at him, and an axe afterwards thrown down, which struck two of the party below. Edw. Gorsuch then went to the front door of the house, and looking up to the window, again called to his slaves by name, when a shot was fired at him from the window. In order to intimidate the blacks, Kline fired his pistol. At this period a horn was blown in the house, which was answered by other horns from the outside, as if by preconcerted action. The negroes then asked fifteen minutes time for consideration, which was granted to them. At this moment a white man was seen approaching the house on horseback. It turned out to be Castner Hanway, the present defendant. Kline immediately walked towards him, and inquired if he resided in the neighbourhood. His answer was short and rude—"It is none of your business." Kline replied by letting him know he was a Deputy Marshal of the United States, gave him the warrants to read, and called upon him, in the name of the United States, to assist in making the arrests. Hanway replied "he would not assist—that he did not care for that act of Congress or any other act—that the negroes had rights and could defend themselves, and that he need not come there to make arrests, for he could not do it." By this time another white man had arrived on the ground (Elijah Lewis), who walked up to Kline, and asked him for his authority to be there. Kline showed his papers to him also. Lewis then read the warrants, passed them to Hanway, who returned them to the Marshal. Lewis, after reading the warrants, said "the negroes had a right to defend themselves." Kline then called upon him to assist him in making the arrests, when he refused, and would not even tell his name. Kline then asked Hanway where his residence was; he replied "you must find that out the best way you can." Kline then explained to them what his views of the act of Congress of 1850 were, and informed them that through their agency these slaves would escape. By this time the blacks had gathered in very large numbers around the house, armed with guns, which they commenced pointing towards the Marshal. At this juncture, Kline implored Hanway and Lewis to keep the negroes from firing, and he would withdraw his men, leave the ground, and let the negroes go. Hanway instantly replied "they had a right to defend themselves, and he would not interfere." Kline's answer was, "they were not good citizens, or they never would permit the laws to be set at defiance in this way." Dr. Pearce then remarked "that all they wanted was their property, and that they did not wish to hurt a hair of any one's head." Lewis replied "that negroes were not property," and then walked away. By this time another gang of negroes had arrived, armed with guns and clubs, and Hanway rode up to them and said something in a low tone of voice. He moved his horse out of the way of the guns; the negroes shouted, and immediately fired from every direction. Hanway rode a short distance down the lane leading from Parker's house, and sat on his horse watching the blacks. Kline then called to Lewis, telling him a man was shot, and begging him to come and assist, which Lewis refused to do. This conversation took place at the bars on the short lane, which will be shown to you upon the plan we purpose giving in evidence. While this conversation was going on, and just before the firing commenced, Edward Gorsuch was standing in the short lane, about half way between the bars and the house, Joshua M. Gorsuch was standing near him; Dickinson Gorsuch was in the short lane, not so near his father as was Joshua, and Dr. Pearce, Mr. Hutchings and Mr. Nelson were somewhere near the same spot. The number of negroes assembled at this time must have exceeded one hundred. Before the firing commenced, Edward Gorsuch was struck with a club on the back part of the head, and fell forward on his hands and knees. As he was struggling to rise, and in the act of getting upon his feet, he was shot down, and when prostrate on the ground, was cut on the head with a corn cutter, and beaten with clubs. Dickinson Gorsuch, on perceiving the attack made upon his father, immediately rushed to his assistance, when his revolver was knocked out of his hand, and he himself shot in various parts of the body, producing intense agony, and rendering him utterly helpless. Joshua M. Gorsuch was attacked at the same time, and defended himself with his revolver, which he twice snapped at his assailants, but the powder being wet it would not go off. He was also struck down and cruelly beaten and maltreated. When the firing commenced, Kline, in order to avoid its effects, escaped into a corn field but on seeing Dickinson Gorsuch struggling in the short lane apparently wounded and bleeding, at the risk of his own life he went to his assistance, and placed him under the shelter of a tree until aid could be procured. Hutchings and Nelson, two of the others, were at this time making their escape, the negroes being in full pursuit. Dr. Pearce and Joshua Gorsuch retreated by the short lane, and a number of shots were fired at them as they moved off. Dr. Pearce was shot in the wrist, side and shoulder, and a ball also passed through his hat just above his forehead. In the effort to escape, these latter gentlemen rushed towards Hanway, who was still sitting on his horse in the long lane. They besought him to prevent the negroes from pursuing farther. He said he could not. They then asked for permission to get upon his horse, which would afford the means of making their escape, He refused their request, and putting whip to his horse rode off at full speed.

This mode of a safe retreat being denied to Dr. Pearce and Joshua Gorsuch their only hope was in continuing to run. Pearce was in front, and Joshua Gorsuch behind. In looking back, Dr. Pearce saw a negro who had previously fired at him, strike Joshua Gorsuch with a gun, which felled him to the earth, and only escaped himself by rushing into a neighbouring farm-house, where he was concealed from view. Joshua M. Gorsuch and Dickinson Gorsuch were subsequently carried to houses in the vicinity, and were a long time recovering from their wounds. In connection with this narrative of facts, I will also state that there are two or three other matters which will appear in the course of the testimony to which I shall call your attention.

First—That so soon as Hanway appeared at the bars, the negroes in Parker's house appeared evidently to be encouraged, and gave a shout of satisfaction; when before that they had appeared discouraged, and had asked for time.

Second—That before the firing commenced, Kline had given orders to his party to retreat, and they were actually engaged in the retreat when the attack was made.

Third—That Edward Gorsuch, who was killed, had no weapon of any kind in his hands, and was therefore cruelly, wantonly and unnecessarily wounded by the defendant and his associates, while carrying out their combination and conspiracy to resist, oppose and render inoperative and void the acts of Congress referred to in the indictment.

Such, Gentlemen of the Jury, is the general outline of the facts, which I propose laying before you, in order to sustain the accusations contained in the indictment. The details of the testimony, as you will receive from the witnesses, will fully complete this sketch. If the result of the investigation exhibits the state of facts which I anticipate, it will be contended on behalf of the United States, that the crime of High Treason has been established against the defendant; and that you, faithfully, honestly, and fearlessly responding to the obligations of your oaths, will say so by your verdict

Treason against the United States as defined by the Third Section of the Third Article of the National Constitution, consists in levying war against them, or in adhering to their enemies, giving them aid and comfort. The crime charged against this defendant is that embraced under the first of these subdivisions, viz.: that of *levying war against the United States*. The phrase, levying war, was long before the adoption of the Constitution, a phrase of well-known legal signification, embracing such a forcible resistance to the laws, as that charged against this defendant Since the adoption of the Constitution, it has received a similar construction from the Federal Judiciary, and many now be considered as a settled principle of the criminal code of the United States. The judicial decisions upon which this position is predicated, will be submitted to the Court and yourselves, in the course of this address, in that which I regard as its appropriate place.

The Act of Congress, which the defendant is charged to have forcibly, violently, and treasonably resisted, is an Act, approved on the 18th of September, 1850, entitled, "An Act to amend, and supplementary to the Act entitled, 'An Act respecting fugitives from justice, and persons escaping from the service of their masters, approved February 12th, 1793'" The original Act of 1793, and the supplement of 1850, are based on the provision of the Second Section of the 4th Article of the Constitution of the United States, and are intended to carry into full and faithful execution the clear, positive and unequivocal injunctions of that instrument. The section which I allude to, declares that "No person held to service or labour in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up, on claim of the party, to whom such service or labour may be due." It is almost needless to say that without this provision, the Constitution of the United States never could have been adopted; the existing Union never could have been formed, and the powerful, prosperous, and glorious Republic of the United States never could have existed among the nations of the earth. Of the value of this Union, not only to us as a separate people, but to the common family of mankind, I admit my utter inadequacy to form an estimate, regarding it as one of those great blessings of Divine Providence, which human intellect cannot fathom; and which increases in appreciation with the progressive development of its benefits.

The Constitution of the United States, you are aware, was adopted by a convention of the people of the States, on the 17th of September, 1787. At the second session of the Second Congress, held under that Instrument, viz.: on the 12th day of February, 1793, was passed the "Act respecting fugitives from justice, and persons escaping from the service of their masters." Its provisions were plain, simple, and clear; manifesting on the part of its framers, many of whom had been members of the National Convention, which had previously framed the Constitution, a frank, honest, and sincere disposition to carry into effect a constitutional injunction, which most probably was unpalatable to some of them. The law is sufficiently brief to justify my reading a portion of it. The third and fourth sections of it are as follows:

Sec. 3. That when a person held to labour in any of the United States, or in either of the territories on the North West or South of the river Ohio, under the laws thereof, shall escape into any other of the said States or territory, the person to whom such labour or service may be due, his agent or attorney is hereby empowered to seize or arrest such fugitive from labour, and to take him or her before any Judge of the Circuit or District Courts of the United States, residing or being within the State, or before any magistrate of a county, city or town corporate, wherein such seizure or arrest shall be made, and upon proof, to the satisfaction of such Judge or Magistrate, either by oral testimony or affidavit taken before and certified by a magistrate of any such State or territory, that the person so seized or arrested doth, under the laws of the State or territory from which he or she fled, owe service or labour to the person claiming him or her, it shall be the duty of such Judge or Magistrate to give a certificate thereof to such claimant, his agent or attorney, which shall be sufficient warrant for removing the said fugitive from labour, to the State or territory from which he or she fled.

Sec. 4. That any person who shall, knowingly and willingly, obstruct or hinder such claimant, his agent or attorney, in so seizing or arresting such fugitive from labour, or shall rescue such fugitive from such claimant, his agent or attorney, when so arrested pursuant to the authority herein given or declared; or shall harbour or conceal such person after notice, that he or she was a fugitive from labour, as aforesaid, shall, for either of the said offences, forfeit and pay the sum of Five Hundred Dollars, which penalty may be recovered by and for the benefit of such claimant, by action of debt, in any court proper to try the same; saving, moreover, to the person claiming such labour or service, his right of action for, on account of the said injuries, or either of them.

For a series of years after its passage, this law was quietly executed, according to its spirit and letter; neither State Legislatures nor State Judiciaries throwing any obstructions in its way On the exciting topic of domestic Slavery, peace reigned within our borders. In such of the States as deemed this institution incompatible with their interest, or where it was repugnant to the popular feeling, it was abolished cautiously, prudently, and progressively. But everywhere, the solemn obligations of the Constitution, to surrender the absconding slave to his rightful claimant was admitted, respected and complied with. Men had not then become wiser than the laws, nor had they learned to measure the plain unambigorous letter of the Constitution, by an artificial standard of their own creation, and to obey or disregard it according as it came up to or fell beneath it. A change, however, came o'er the spirit of a portion of the people of some of the States. This change of sentiment soon manifested itself in the enactments of State Legislatures, and in the decisions of State Judiciaries consequent upon them, which created such embarrassments and difficulties in the execution of the Act of 1793, as to render it, practically speaking, a dead letter in some of the States. I do not propose to enter into any detailed history of this legislation, or of these adjudications. That would be alike fatiguing to you, and of little value in the consideration of the matter in hand. I will, however, refer to the legislation of our own Commonwealth, which, though generally characterized by fidelity to the National compact, still shows that this new influence, to a certain extent, had even affected her usually steadfast and solid character. On the 26th of March, 1826, the Legislature of Pennsylvania passed an Act, entitled "An Act to give effect to the provisions of the Constitution of the United States, relative to fugitives from labour, for the protection of free people of colour, and to prevent kidnapping.

This Statute, purporting to be intended to give effect to the provisions of the Constitution, relative to fugitives from labour, deprived all the Aldermen and Justices of the peace of power to hear and decide upon the cases of such fugitives, confining their authority to the issuing of warrants for the arrest of such fugitives, which warrants were, however, to be made returnable before, and the complaint to be heard by a Judge of the proper county. The Ninth Section of the Act declaring that no Alderman or Justice of the Peace should hear the cognizance of any fugitive from labour from any of the United States, under the Act of 1793, and forbidding them to grant any certificate or warrant of removal of such fugitive upon the application, affidavit or testimony of any person or persons whatsoever, under the said Act of Congress, or any other law, authority, or Act of the Congress of the United States, under the penalty of being guilty of a misdemeanour in office, and of incurring a fine of not less than Five Hundred, nor exceeding one Thousand Dollars. This Act, however, authorized the Judge, before whom an alleged fugitive was brought, to take bail for his appearance until final hearing, or in default thereof, to commit him to the common jail of the County for safe keeping, at the expense of the owner.

This law was followed by the Act of the 3d of March, 1847, the third section of which absolutely forbids any judge of the Commonwealth from taking cognizance of the case of any fugitive from labour from any of the United States, under the Act of 1793. The sixth section even declares that "it shall not be lawful to use any jail or prison of the Commonwealth for the detention of any person claimed as a fugitive from servitude," and subjects any jailor or prison-keeper offending against its provisions, to a heavy pecuniary fine, and to a disqualification for life from holding such office or trust.

The effect of the first of these Acts was to render futile so much of the Act of Congress of the 12th of February, 1793, as imparted jurisdiction in the cases of fugitives from labour to State aldermen and justices of the peace, thus depriving the claimant of a convenient and accessible tribunal, before which he could bring his arrested fugitive servant; and referring him to the county judges. These officers, in many instances, were only to be found at remote distances from the place of arrest, and during a large portion of their time were actually engaged in other public business which necessarily hindered them from giving the prompt attention to such cases, which their nature demanded. The necessity of carrying an arrested fugitive for long distances, through populations sometimes strongly prejudiced against the institution of Slavery, rendered arrests hazardous, sometimes, indeed, subjecting claimants to personal dangers, which prudent men were not willing to encounter, even in the pursuit of their rights. But still the Act of 1825 left a local State tribunal in every county, though an inconvenient one, to which a claimant under the Act of 1793 could apply. But the Act of 1847 took that away from him, by forbidding the State judiciary to take cognizance of the case of a fugitive from labour under the Act of 1793. And the use of the county prison was refused for the detention of any person claimed as such a fugitive.

What was the actual state of things produced by the operation of these laws? None but a judge of the United States could aid the claimant of a fugitive from labour, and that judge could not commit such fugitive to any county prison for safe keeping, pending an investigation before him. At that time the United States had three judges in this State, having jurisdiction in cases of fugitives from labour. The Judge of the Eastern District, residing in Philadelphia, the Judge of the Western District, residing at Pittsburgh, and the Circuit Judge, whose time was divided by the Circuit Courts held in Philadelphia, Trenton, (New Jersey) Williamsport and Pittsburgh.

And these Judges, located at such remote points, had no means given them to secure a person charged as a fugitive from labour, even in the rare instances in which they could be brought before them.

In this state of things, the arrest of a fugitive from labour, in Pennsylvania, became, practically speaking, an impossibility. Or, certainly, in nine cases out of ten, the promises of the Constitution and the laws to the claimant of a fugitive from labour, become the merest delusion.

In other States of the Union, laws of an equally urgent and embarrassing character prevailed; until the provision of the Constitution respecting fugitives from labour, and the laws passed to carry it into execution, had almost reached the point of absolute nullity. And this great nation found itself in the position of those weak and feeble governments in which there exist

"Laws for all faults:
But faults so count'nanced, that the strong statutes
Stand like the forfeits in a barber's shop,
As much in mock as mart."

Under such a state of things what was justly to be expected from those States which had entered into the National Compact under the solemn guarantees and pledges of the Constitution? Deep feelings, intense excitements, arising from wounded sensibility, mortified pride, and great personal interests believed to be placed in jeopardy. Of this state of public feeling, in some instances it is to be feared bad and designing men sought to take the advantage, until in the fierceness of the conflict that arose, our noble Union seemed to rock on its foundation. But the saving spirit, which has ever guided our national destinies, rose bright and glorious above the storm—pointing out to anxious patriotism the haven of peace, concord, and union, in the adoption of the Compromises of the ever-to-be-remembered Session of 1850. Among these is to be found the Act of the 18th of September, 1850, the law, the execution of which this defendant is charged in combination and by preconcert with others, to have resisted even unto blood and death. This act, which has been so much commented upon, is, in fact, less urgent in its features, and better calculated to prevent abuses, than the original Act of February, 1793, of which it purports to be an amendment. By the Act of 1793, *any* Magistrate, *of any County, City or Town corporate*, wherein an alleged fugitive from labour may have been arrested, as authorised to take jurisdiction of the complaint, and grant the required certificate for his removal to the State or Territory from which he has fled. In lieu of this almost universal magistracy, from which the claimant might have made his choice under the Act of 1793, he must under the Act of 1850, make his application to a Judge of the Circuit or District Courts of the United States, or to a Commissioner appointed by the Circuit Court—an officer directly responsible to the Judge of the Circuit Court of the United States, by whom he is appointed, and whose duty it is to see that the high trust reposed by him in such Commissioner is faithfully, wisely, and humanely executed. This removes one of the objections made to the Act of 1793, which was, that it gave the complainant the choice of the Magistrate, to whom he might apply, and thus gave room to the choice of one whose prejudices or interests might be operated upon, to the disadvantage of the alleged fugitive. The process under the law of 1793, when process preceded the arrest of an alleged fugitive, might be executed by any peace officer selected by the claimant; while under the Act of 1850, it must be either executed by the Marshal or his deputy, or by a proper person designated by the Commissioner issuing the process; who is in this, as in all other parts of the execution of his office, immediately responsible to the Judge of the Supreme Court of the United States, by whom he is chosen The high, dignified and responsible public station occupied by a Judge of the Supreme National Tribunal, affords a safe guarrantee that no trust reposed by him in a subordinate, shall be abused without the certainty of prompt redress. And who can doubt that if a Commissioner should abuse his power, in the selection of the agent designated by him to execute his process, the Judge from whom he derived his functions would promptly deprive him of them?

The Act of 1793, like that of 1850, authorized the original arrest of the fugitive without warrant. In this feature the laws are the same. The media of proof under the two Acts are also identical. They may be either oral testimony delivered to the judge or magistrate hearing the cause, or affidavits taken and certified by a magistrate from the State or Territory from whence the alleged fugitive is said to have fled. The conclusiveness of the certificate of removal is equal under the two laws. Under the Act of 1850, it is declared so in terms. Under the Act of 1793, it was the same in effect, the Supreme Court of this State having so held, in cases in which attempts have been made to go behind the certificate of removal after it had been granted. If the laws of 1792 and 1850 are substantially identical, whence is it that the latter has been so assaulted? And why has the effort been so industriously prosecuted to convince the people of the United States, that some new and terrible anomaly has been introduced into the National Legislature by the Act of 1850? The answer to this inquiry is alike simple and conclusive. The Act of 1793 professed to give a remedy, but afforded no adequate reasons of enforcing it, independent of the aid of the local State magistracy. State legislation, by interdicting the action of the local State magistracy in its execution, deprived the law of vital power, made it the noisy thunder which stuns and confuses, while it is deprived of the lightining which strikes and penetrates. So long as the Act of 1793 was suffered to sleep in the Statute Book in lifeless inactivity, all was well with those who were willing

"To keep the word of promise to the ear
And break it to the hope."

But when the Act of 1850 imparted life to its torpid antecedent, by giving it a sanction by which its promises could be enforced and realized, then burst forth the clamours against the law, which have so long filled the public ear. Remedial laws, without corresponding sanctions, by which their proposed remedies may be obtained, are, at best, legislative cheats. Honest legislation never professes to afford a remedy, without furnishing the means necessary and proper to attain it.

To furnish such means of arriving at Constitutional rights, was the end and object of the Act of 1850, to which the Act of 1793 had become inadequate, by reason of counteracting State legislation. This, and no more, is the head and front of the offending of the calumniated law. It was against the execution of *this* law, that the defendant arrayed himself by combination, confederacy and preconcert with others, who are hereafter to answer for their participation in the crime. It was in opposition to the execution of *this* law, that he associated himself with others equally reckless; armed with the weapons of blood and death. It was with this object and by this association, that the blood of an unoffending American citizen, entering into our Commonwealth in pursuit of his legal rights, and acting under the sanction of the laws of the Union, has been shed. Shall this deed of blood and horror escape unpunished? Shall its repetition be invited by the impunity which shall follow the offender? The response to these questions must come from the Jury Box. *There* rests its terrible responsibility. If this response shall be in the affirmative, then a dark and heavy cloud will have passed over the sun-light of the American Union. For when the laws of the Union, enacted in pursuance of the Constitution and responsive to its most direct obligations, cannot be enforced in its Judicial Tribunals, then, indeed, is the beginning of the end arrived.

The subject which remains for me to consider is, whether the facts which I expect to prove, amount to such a forcible resistance of the public law, as makes the actors in it guilty of Treason, in levying war against the United States. I propose now to consider this question, and with that view, invite your attention, as well as that of the Court, to a consideration of the law of the case. I need not say that you will receive the law from the Court, and that you are bound by the instructions which the Court may give in respect to it. In this particular there is no difference between civil and criminal causes. It is, therefore, in no sense true, that you are judges of the law, and you must take the interpretation which the Courts put upon it. You have a right to apply the law to the facts, but you have no right to go further. What then is the law? I have stated that treason against the laws of the United States consists, according to the Constitution, only in levying war against the United States, and giving to their enemies aid and comfort. What is meant by levying war against the United States, I proceed now to consider. It is a phrase, the meaning of which is well settled and understood, both in England and the United States. The Statute of 25th Edward III, chap. 2, contains seven descriptions of treason, and two of them are thus stated by Blackstone:

1st. If a man do levy war against our Lord the King in his realm.

2d. If a man adhere unto the King's enemies in his realm, giving to them aid and comfort in the realm or elsewhere.

These are the two kinds of treason which are defined in the Constitution of the United States, and the words used to describe them are borrowed from the English Statute, and had a well-known legal signification at the time they were used by the framers of the Federal Constitution. This is expressly stated by Chief Justice Marshall. 2. Burr's trial, 401, his language being that "It is reasonable to suppose the term *levying war* is used in that instrument in the same sense in which it is understood in the English law to have been used in the Statute of 25 Edward III." He then adds, "that principles laid down by such writers as Coke, Foster and Blackstone, are not lightly to be rejected." He then defines at page 408 in what levying war consists, viz: "That where a body of men are assembled for the purpose of making war against the Government, and are in a condition to make war, the assemblage is an act of levying war." Coke, Foster, and the other English elementary writers clearly maintain the doctrine that any resistance to an Act of Parliament by combination and force, to render it inoperative and ineffective, is treason by levying war; and the American authorities adopt the English doctrine. In the cases of the Western Insurgents, 2 Dallas, 345, 347, 355, also reported in Wharton's State Trials, 182, Judge Patterson says, "If the object of the Insurrection was to suppress the Excise office, *and to prevent the execution of an Act of Congress by force and intimidation*, the offence in legal estimation is high treason; it is an usurpation of the authority of the Government. It is high treason by levying war." Judge Iredell, in the cases of the Northampton Insurgents, in his charge to the Grand Jury, says, "I am warranted in saying, that if in the cases of the insurgents who may come under your consideration, the intention was to prevent by force the execution of an Act of Congress of the United States altogether, any forcible opposition calculated to carry that intimidation into effect, was a levying of war against the United States, and of course an act of treason. But if its intention was merely to defeat its operation in a *particular instance* or through the agency of a particular officer, from some private or personal motive, though a high offence may have been committed, it did not amount to the crime of high treason. *The particular motive, must however, be the sole ingredient* in the case, for if committed *with a general view to obstruct the execution of the Act*, the offence must be deemed treason." In *Fries' case*, Wharton's State Trials, 534, Judge Peters, in his charge to the Grand Jury says, "It is treason in levying war against the United States for persons who have none but a common interest with their fellow-citizens, to oppose or prevent by force, numbers or intimidation, a public and general law of the United States, with intent to prevent its operation, or compel its repeal." Again, "although but one law be immediately assailed, the treasonable design is completed and the generality of the intent designated by a part assuming the government of the whole. Though punishments are designated by particular laws for certain inferior crimes, which if prosecuted as substantive offences, and the sole object of the prosecution, are exclusively liable to the penalties directed by those laws, *yet when committed with treasonable ingredients*, these crimes become only circumstances or overt acts. The intent is the gist of the offence in treason." Judge Iredell, in *Fries' case*, immediately follows Judge Peters; and referring to the law laid down by Judges Patterson and Peters in the Western Insurgents, (2 Dallas R. 355,) says, "As I do not differ from that decision, my opinion is that the same declarations should be made upon the points of law at this time.

Judge Chase on the second trial of Fries, was on the bench, and in an elaborate opinion he maintains the doctrine which had been ruled in the previous cases. Judge Story, in his charge to the Grand Jury, delivered June 15, 1842, (1 Story's Rep., 614), says "It is not necessary that it should be a direct and positive intention entirely to overthrow the Government. It will be equally treason if the intention is by *force to prevent the execution of any one or more of the general laws of the United States*, or to resist the exercise of any legitimate authority of the Government in its sovereign capacity. Thus, if there is an assembly of persons, with force, with intent to prevent the collection of taxes lawful, or duties levied by the Government, or to destroy all custom houses, or to resist the administration of justice in the United States, and they proceed to execute their purpose by force, there can be no doubt it would be treason against the United States." Judge King, in his charge to the Grand Jury, on the occasion of the Kensington riots, holds the same doctrine. His language is, "that where the object of a riotous Assembly is to prevent, by force and violence, the execution of any statute, or by force and violence to compel its repeal by the legislative authority, or to deprive any class of the community of the protection afforded by law, as burning down all churches or meeting-houses of a particular sect, under color of reforming a public grievance, or to release all prisoners in the public jails and the like, and the rioters proceed to execute by force their predetermined objects and intents, they are guilty of high treason in levying war." To the same effect is the charge of the District Judge, (Hon. John K. Kane), delivered to the Grand Jury on the 29th of September last. He says, "the expression levying war embraces not merely the act of formed or declared war, but any combination forcibly to prevent or oppose the execution or enforcement of a provision of the Constitution, or of a public statute, if accompanied or followed by an act of forcible opposition in pursuance of such combination."

The authorities and opinions which I have quoted, are conclusive of the question of law, and prove that the forcible resistance to the execution of the law of the United States, known as the Fugitive Slave law of 1850, which took place at Christiana on the 11th of September last, in which the defendant participated, with others, if designed to render its provisions inoperative and void, was treason against the United States. It was a levying of war within the meaning of the Constitution. The intent with which the act was committed, is the essential ingredient in the offence. If it was not levelled at the statute, but simply designed to prevent the arrest of the slaves belouging to the late Mrs. Gorsuch, it amounted, so far as the United States is concerned, to nothing more than a high misdemeanor. The death which resulted from the violence, in this aspect of the case, would be indictable and punishable as murder by the laws of Pennsylvania, but could not be considered an act of treason. It is your peculiar province to pass upon the question of *intent*, and you have a right to infer treasonable designs from the facts and circumstances which attended the transaction. The combination or conspiracy of the defendant with others forcibly to resist the law at Christiana, can be established without direct proof. "The concert of purpose," says his honour Judge Kane, "may be adduced from the concerted action itself, or it may be inferred from facts occurring at the time or afterwards, as well as before." In this particular case, however, there is no necessity for inferential proof, so far as this defendant is concerned. His resistance to the law was open and declared. He avowed his determination on the spot, not to regard the provisions of the Fugitive Slave Law of 1850, or any other Act of Congress upon that subject, and in the very presence of an armed band of negroes, who had come together to resist the law, he declared that its supremacy shall not be maintained by him, and that the rights of these insurgents were superior to any statute of the United States. "They are armed," was his language, "and can defend themselves."

It is manifest, therefore, that Castner Hanway, so far as in him lay, had resolved to prevent the execution of these fugitive slave laws in every instance, and to make them a dead letter in the neighbourhood and county in which he resided, so far as any ability or influence of his could contribute to that end. His conduct and language towards Kline incited and encouraged all that followed afterwards, and the prisoner is legally and morally responsible for it all. Had he chosen to discountenance this flagrant violation of law, and held the excited and infuriated blacks in check, the reputation of Pennsylvania would never have been tarnished by the disgraceful occurrences at Christiana, and a worthy and respected citizen of an adjoining State would not have been wantonly and wickedly murdered in cold blood, while engaged in the assertion of his legal rights. On Castner Hanway especially rests the guilt of the innocent blood which was spilt on that occasion. He may finally escape its consequences before this jury, because of some flaw or defect in our proof, but he never can flee from the reproaches of his own conscience, or the condemnation which every honourable and upright citizen will pronounce upon his conduct. He is, however, in your hands, and I will say nothing that is in any way calculated to create or array prejudices against him or his case.

I have thus, Gentlemen of the Jury, in the execution of my duties as opening council for the United States, detailed the facts of the cause you are about to try, as I believe they will be established by the evidence: and have also explained the legal principles which I consider applicable to them. My duties in this respect are therefore fulfilled. Your graver and more solemn one is about to commence. Never were duties more intensely interesting in their character, or more absorbingly important in their results. The simple fact, that the issue you are about to determine, involves the life of a human being, imparts to it an absorbing interest, and demands what I am satisfied it will receive; your anxious, scrupulous, and careful attention.

But the inherent gravity of such an issue assumes even a deeper responsibility, from the nature of the accusation involved in it, and from the influence your verdict may have on the future harmony and permanence of the National Union. It may be that the great political problem is now to be solved by you, whether the Constitution of the United States, and every part of it, is to be recognised and regarded throughout this land as the Supreme Law; whether its unequivocal mandates are to be evaded and disregarded, or whether they are to be obeyed, in that spirit of honesty and sincerity, so necessary to its perpetuity, and so essential to its effective action as the guardian of the rights of each individual citiz

I saw Mr. Lewis and a boy a short distance off, and called to the boy to come back; he shook his head, but did not stop; don't know where Lewis went to; I next saw an old negro, whom I asked where I could get a doctor; he pointed towards Penningtonville; I recognised him as one of the first at the house; I next saw a white man coming up the lane on a horse which appeared to be hard driven; I said to him you are one of the men who have been giving information: he made off; I watched Lewis and the boy, and saw the boy go to the brick mill: I went over to him and saw him meet another boy.

I asked for a doctor and they pointed towards Penningtonville; at this time a man came in sight whom the boys called the Squire; I asked him if he could tell where I could get a wagon; he said no; I did not know Mr. Gorsuch was wounded then.

I started towards Penningtonville, and met one of my own men, who was wounded and crazy as a bed bug; I led him to a tavern, and got him some refreshments; I saw a man there with a wagon, whom I hired for a dollar to take us to Penningtonville; he took the dollar, but afterwards gave it back, and said he could not go.

I led the wounded man to Penningtonville, where he revived a little; I offered $5 a piece to those who would go over and bring the body of Mr. Gorsuch, who, I was told, was dead; they went, but I staid behind; they brought the body and held an inquest.

I insisted upon being heard before the inquest, but was not allowed; the verdict was given without examining any witnesses; I said it was a curious inquest; I had a coffin made, and sent the body to Maryland; I then heard that two bodies were lying in the woods wounded; I searched for them, but could not find them; their names were Nelson and Hutchings.

As I went, I met Mr. Pearce; on coming back I met a young man who told me my two friends were safe, as they had taken breakfast with him; I think there were at the time of the attack 100 negroes present, armed.

At the time of the firing, I stood a little up the long lane, so that I could not see up the small one; I was about twelve feet from the long lane—[the plan was here shown him, upon which he marked his position]—at the time I got into the corn field, Hanway was about 46 yards off, looking on, nearer the creek—[looked at Hanway, and recognised him as the person he saw—had no doubt of it.

He was on his horse, looking at the house; several negroes passed him, and went over the fields; one had a club; they went right by his horse; he made no attempt to stop them; before he went this distance away, he said something to the negroes in a low tone, which I did not hear.

It was then one of the blacks said, "he is only a deputy," and then fired—[Hanway's position pointed out on the plan]—the blacks were in the long lane facing the short lane and Parker's house; I followed Mr. Lewis, when they fired, and was about 30 feet off.

Party No. 2 fired a minute or two after party No. 1; they fired right at where I was; the corn, I supposed, saved me; I could not see the bars from the corn field; I did not see Mr. E. Gorsuch killed; I never saw him from the time we went to the house until I saw him at Christiana a corpse.

Question by Judge Grier—When you fired was any body hurt?

Answer—No, sir; I fired my pistol in the air to frighten them; when I met Dickinson Gorsuch in the lane, he was wounded in the arm and body, and was bleeding out of the mouth very much [plan shown him]; this tree is about the place I sat him across the road, on the north side.

The reason I call it North is because it was North of me; I don't know North from South there; it was towards the woods (this appeared to be the South side); when I spoke to Hanway, I told him about the law of Congress: aiding or abetting a fugitive slave was $1,000 fine, $1,000 for the slave, and 5 years' imprisonment.

Hanway said he did not care for any act of Congress or any other law; this was after he had read the warrants; I saw Dickinson Gorsuch and Dr. Pearce going the same way as Mr. Hanway, then! put Dickinson by the tree; they were pursued by a large number of the coloured people with guns and other weapons.

I saw Mr. Gorsuch try to get behind the horse, or on him, to save himself, or something; Hanway sat on his horse, and was in a trot or run, as he was going pretty fast; I met Joshua Gorsuch between the mill and Penningtonville, a mile or a mile and a half from the scene of action; he was cut very badly on the head, and was not in his right senses; I took him to Penningtonville.

When Hanway first came up to the bars, there was no one there but the Indian negro; when the other negroes came up, they loaded their guns in his presence; I heard nothing in the house until I got to the bars; I saw Hanway the next morning after the affair at the house of Mr. Rogers, sitting there; I had no talk with him.

Saw him again on the day of the arrest at Christiana—either on the 12th or 13th: somebody had told him that an arrest was to be made; they came over and gave themselves up; I said, as soon as I saw Hanway and Lewis, that they were two of the men; they did not deny it, but wanted to argue with me.

By Mr. Cooper—I can't tell how far Rogers' house was from Parker's house; about the eighth or sixteenth of a mile.

By Mr. Brent—Our guide left us when he pointed out the house; I knew the names of Nelson and Josh from the old Mr. Gorsuch; they went over the fence and through the orchard; I heard several horns blow, and guns loading in the house; one horn from the house and the others from the neighbourhood around.

Cross-examined by Thad. Stevens—I have been examined twice before; I think I mentioned the name of the black I chased, before; at Christiana; can't say it was in my deposition.

THE INDEPENDENTS IN GEORGIA.—Mr. Toombs, late whig M. C. from Georgia, has been elected a member of the U. S. Senate. It will be remembered that Mr. Toombs was one of the most ferocious fire-eaters during the session of 1849-50. In 1851, he formed a coalition with Cobb, then Speaker of the House, and recently elected Governor of Georgia, which contemplated the arrangement which has just been consummated. On the evening of his election as Senator, he made a speech, in which he announced that the "constitutional Union party" will adhere to its present isolated, independent organization and name; that it will not send delegates to, or be represented in either the national whig, or democratic conventions next year; that it would wait until those conventions have assembled and set forth their principles and candidates before the country, prior to determining on either side; that, as an indispensable condition for their support, the national convention, whether whig or democratic, which it coalesces with, must adopt the compromise platform; and that—this condition complied with—the "constitutional Union party" will be free to unite with either the national whig, or national democratic party.—*N. Y. Ev. Post.*

THE BIBLE SECTARIAN BOOK.—A matter of no little interest has recently engrossed the attention of the School Committee of the City of Cambridge. It appears that one of the rules in the Schools of that city is, that selections from the Bible were read to the pupils daily. This order has recently been objected to by a scholar in one of the Schools at the Port. When it came to the pupil's turn to read, an objection was made on the ground that his parents, who were Catholics, instructed him not to read the Protestant Bible. The Teacher of the School immediately informed the School Committee on the subject, which Board, we learn, notified the parents of the child, that they must either withdraw him from the School, or instruct him to comply with the established rules of the School, and orders of his instructor. We learn that a suit at law is growing out of the trouble, and that a legal gentleman has already been retained as counsel by the parents of the pupil referred to, and that the ground taken is, that the School in question has openly violated the 23d sec. of the 23d chapter of the Revised Statutes, prohibiting the introduction of sectarian books into our Public Schools. There is very little doubt how a Massachusetts Jury would decide a question like the one referred to.—*Boston Paper.*

OLDEST INHABITANTS.—The "oldest inhabitant" in Vermont, as we learn by the census returns, is a black man, a native of Martinique, and now a resident of Pomfret. His name is Peter Nassau, and his age 120 years. The oldest inhabitant in Massachusetts is also a negro residing in Marshfield. There is no record of his birth, but from the best dates that can be attained, he is one hundred and sixteen years old. He was once a slave, and is a native of New York. He has always said that his mistress told him he was twenty-one years of age the first year of the French war in 1757. He is now blind and has not been able to do much work for the past forty years. The oldest inhabitant of Georgia is a white woman, living in Clarke County. She is one hundred and thirty years old, and has, living within a mile of her, grand-children to the sixth generation. In Louisiana there is a negro slave, living in the First Municipality of New Orleans, one hundred and forty years of age. He appears dried and shrivelled up.—*Exchange.*

HON. CHARLES SUMNER left town yesterday for Washington. We presume Mr. Sumner will find no obstacle to taking his seat in the Senate, for we have before us the following autograph card of admission which is very much to the point:

ADMIT
MR. SUMNER,
At all times,
DAN'L. WEBSTER.

This card Mr. Webster gave Mr. Sumner about seventeen years ago for the purpose of giving him free access to the floor of the Senate. Having now another document of about equal authority for the same purpose, he gave this to a friend of ours who was seeking to obtain the autograph of "the foremost man of all the world."—*Bost. Commonwealth.*

REV. J. G. FEE, a native of Kentucky, appeals for aid to build a free church in Kentucky, in which he can preach against the institution of Slavery, without molestation.

HON. CHARLES DURKEE, who was nominated by the Gerrit Smith 'Liberty Party' for Vice President, declines the honour.

National Anti-Slavery Standard.

*** *All communications for the paper, and letters relating to its pecuniary concerns should be addressed to* SYDNEY HOWARD GAY, *New-York.*

†|† *Donations to the Treasury of the* AMERICAN ANTI-SLAVERY SOCIETY *may be forwarded to* FRANCIS JACKSON, *Treasurer, at Boston; or to* SYDNEY HOWARD GAY, *New-York.*

NEW YORK, THURSDAY, DECEMBER 4, 1851.

THE TRIALS FOR TREASON.

We make no apology for the large space occupied in this No. of the *Standard* by the report of the trial now before the United States Court at Philadelphia. A portion of our readers, we know, will have seen the report elsewhere before it will reach them in our columns, but many others will rely altogether upon this paper for their knowledge of the character and progress of the trial, and to such persons it is due that we give it them as fast as possible. We shall continue it in our next No., and until it is finished.

Even this explanation and promise are, perhaps, hardly necessary. State Trials are not usually matters of such small moment that it is of little consequence whether the public are kept advised of the measures taken to accomplish their object, and the probability of its accomplishment. To hang a man at any time is not a trifle, even if it be for acknowledged crime. But when it comes to hanging men for performing a Christian duty and acting in accordance with an acknowledged Divine Law, then it behooves all who may, by any possibility, be implicated in any such act to know, as far as it is possible, precisely the danger they run, and what sort of measures may be taken to convict them of such a crime, and to bring them to condign punishment. We trust the *Standard* has no reader who might not, so far as good will is concerned, have been placed in the situation of the prisoner at the bar in the treason case now being tried at Philadelphia. Strangulation in a jail yard by the High Sheriff is a fate to shudder at, and one certainly to be avoided by all honourable means. But there are some things worse than hanging, and we are to learn how we can, with a good conscience, keep clear of being traitors to God and humanity, and at the same time avoid the risk of hanging for being traitors to the Government.

How it will go with Castner Hanway, and his associates, it is useless to conjecture. The Government will be in earnest as far as it is sustained in being so by public opinion, and will convict the prisoners, if they can. This much we may take for granted; for the farther it can go to please its master, the King of the South, and not displease too much its Northern fellow-servant, it will go. But precisely how far that may be, depends not altogether upon Government officials—who even, it seems, have to be looked after by a Maryland Attorney—but somewhat upon a Jury of twelve men good and true. The time is not yet come, perhaps, when men's lives may be bartered away for a nomination for the Presidency, but the time has come when the slave power demands blood as the price of her approbation, and it is well that those who are most likely to become the medium of exchange in this bargain, should understand all the steps of the negotiation, and the measures taken to carry it out.

THIRTY-SECOND CONGRESS.

THE first session of the Thirty-Second Congress commenced on Monday morning. The President's Message, at this present writing, is not published, though it will be probably before this sheet is before its readers. Both Senate and House have organized, the latter by the choice of Linn Boyd, of Kentucky, Democrat, as Speaker. This body, happily, opened the session by getting by the ears at once, and commencing anew in Washington the agitation which has been so many times suppressed. We subjoin the report of these proceedings:

ELECTION OF SPEAKER.

Mr Jones, of Tenn., moved to proceed to the election of Speaker viva voce, and would merely remark that, for one, he should vote for Linn Boyd—not because he received the nomination of the Democratic caucus, but because he knew him to be a thorough and sound Democrat and a tried and true compromise Union man.

Mr. Carter, of Ohio, concurred with the gentleman in what he had said, but would vote for Mr. Boyd because he was the nominee of the Democratic caucus.

Mr. Stanley said the Whigs, in caucus, had made no nomination for Speaker; they had heard from Mr. Jones about the compromise measures, and now would be happy to hear how far they have been endorsed on the Democratic side.

Mr. Savage—The gentleman had better settle his difficulties at home, before he seeks to regulate others. [Voices—"Call the roll."]

THE FIRST BRICK.

Mr. Campbell, of Ohio, nominated Thaddeus Stevens for Speaker—a gentleman as pure a friend to the Union as any other, and as good a Whig. As to the merits of the compromise measures, he hoped gentlemen opposed to agitation would not open it so early in the session. When the time comes, if gentlemen insist on agitation, let it come—we are ready. We are not throwing the first brick.

Mr. Carter—You had better appropriate your suggestion at home. (Cries of "Call the roll.")

THE WHIGS AND THE COMPROMISE.

Mr. Brooks, after noticing what had been said by Jones, remarked that the Whigs of this House assembled this morning, and, by a decided and emphatic expression of opinion, endorsed the Compromise measures.

A Voice—How many were there?

Mr. Brooks—50 or 60: we have 70 or 80 or so in all—and nearly all now in the city met this morning. How was it on the other side? The Democrats were unwilling to sustain their measures, and refused to adopt a similar resolution in Caucus. The Whigs want to know where they stand: they present an harmonious front, and on the principles laid down they intend to act. He alluded to the inconsistency among the Democrats with reference to the Compromise.

QUESTION AND ANSWER.

Mr. Meade said if he understood Mr. Brooks, that gentleman had stated as a fact, that the Whig party of the North are now opposed to agitation, and are perfectly willing to execute every article in the Compromise, Slave Bill and all.

Mr. Brooks (interrupting) said the Whig caucus this morning almost unanimously gave an expression of opinion acquiescing in the Compromise measures.

Mr. Meade asked whether he understood the gentleman to say that those in the caucus reflect the sentiments of the large body of Northern Whigs, and that that party is now prepared to stop agitation on the Slavery question, and carry out the provisions of the Fugitive Slave Bill.

A PROTEST FROM FOWLER.

Mr. Fowler was allowed to explain, and said he was a Whig, and always expected to be one—he moved in the Whig caucus to lay the resolution on the table. There were, he judged, about 40 Whigs present, although he did not count them (laughter). He would further say that one-third of that number voted to lay the resolution on the table—he wanted the proceedings honestly reported—he did not mean to be bound by that resolution, as he desired to stand on his own footing here and elsewhere.

Thaddeus Stevens jocosely called to order on the ground that the harmony of the Whig party was being disturbed.

Mr. Meade continued his remarks charging the Whigs with passing the Compromise resolutions as a piece of finesse to humbug the South.

Mr. Campbell, of Ohio, desired to say that the presentation of the name by him of Thaddeus Stevens, had no connexion with the Whig caucus—he, Campbell, took no part in it.

"A QUESTION OF TIME ONLY."

Mr. Meade said that the Compromise resolution in the Democratic caucus was laid on the table because the subject would properly come before the Baltimore Convention—they will take it in hand, and proclaim to the world on what principles the North and South can be united. We want no declarations of opinions now.

WHO VOTED FOR THE FUGITIVE SLAVE LAW?

Mr. Richardson said that Mr. Brooks was now the champion of the compromise measures, but did not vote for the Fugitive Slave Law.

Mr. Brooks said that he voted in the same way as Cass, Douglass, and others in the Senate.

Mr. Richardson said that but three Northern Whigs voted for the Fugitive Slave Bill, and Brooks was not one of them.

Mr. Brooks admitted the fact, and it was the most unfortunate act of his life that he did not vote for it.

A conversation ensued as to how many gentlemen who voted for the Fugitive Bill had been returned to Congress.

CABELL'S PLATFORM.

Mr. Cabell, in defending this platform, said that the Whigs had put themselves on his platform—one on which the Union party of the South can stand.

THE DEMOCRATIC CAUCUS.

Mr. Polk said that, on introducing the Compromise resolution in the Democratic caucus, there was not a word there offered in contradiction of the principles—the only objection was a question of time—besides, the caucus not full. Various explanations followed.

GIDDINGS THROWING DOWN THE GAUNTLET.

Mr. Giddings rose to request his friends to postpone the question precipitated upon them. Go on and organize, and then discuss the question properly—he took the opportunity to congratulate the honourable Secretary of State and the President on these peace measures—quieting all agitation. We are anxious for the combat and will afford you abundant means to carry it on. I do not speak as a Whig or Democrat, but as a "free" Democrat (laughter). I merely say each one of you will have a chance before 60 days.

—Satisfied with this opening scrimmage, the House then proceeded to the election of Speaker, and of Clerk, Mr. Forney, of Pennsylvania, being chosen to the latter office. The oaths were administered by Mr. Giddings, as the oldest member of the House.

THE SCHOOL TRAGEDY.

THE Coroner's Jury in the case of the killing of the school children, in Greenwich Avenue, have given in their verdict, after a long, though, it is thought by many, not entirely impartial, hearing of the evidence. The verdict is precisely what every body knew from the beginning, and no more, and certainly it would seem a mere mockery of the purpose of the inquiry to find that a certain number of children came to their death, at the time referred to, from "suffocation and external and internal injuries." To the verdict, however, is appended a document entering somewhat minutely into the causes of the accident; and though it is to be wished that it were fuller and more explicit, and displayed a determination to fix blame wherever it belongs rather than the appearance of wishing to avoid the responsibility and odium of blaming any one, credit should be given to the Jury for what they do condemn. We have not room for the whole of this paper, but copy that part of it that refers to the structure of the building. The Jury, very properly, are careful to exempt the teachers from all blame; but, for very insufficient reasons, it seems, they declined to receive evidence tending to criminate some persons who entered one or more of the school-rooms and urged the inmates to escape, as the building was on fire. But on that point which they thought of the most consequence they say:

Concerning the building, the most reliable testimony that could be obtained, as well for competency to form correct and accurate judgment as for truth and veracity, has proved that the *main structure* is good; that it is abundantly strong and secure for the purposes designed and used. But of the design and structure of the stairways, the facilities of ingress and egress to the building, the opinion is as unanimous and decided that they deserve universal condemnation. The peculiar form of the stairway being four square, with steps on either side starting with winders and turning with winders at every angle, thus continuing to the top of the building, leaving a well-hole in the centre.

The spiral form and low rails, even though safely constructed, cannot be commended as the most convenient, or by any means safe. All who testified upon this point, save one, concurred in this opinion. The most trivial occurrence might cause a child to lose his balance, while reclining against this rail, and precipitate him, if at the top, a distance of fifty feet to a stone flagging below, which must inevitably produce death. Such was the structure of the front stairways in this school, and such were the exposures of the children who used it. It is not enough to say that accidents of this kind never before occurred, or that similar structures exist in other buildings, and that therefore there is no cause to condemn them. The undersigned are united in opinion as to their insecurity, and do, therefore, most unqualifiedly condemn them.

We say this, however, in no spirit of censure of the *intentions* of those who designed them. It was most unquestionably thought by them to be the most available mode of construction. It is in proof that the plans were submitted to the entire board of school officers of the Ward, and subsequently to the Board of Education, who approved them, and made an appropriation of $15,000 to erect the building. We would be understood then, not as condemning the good intentions or honest purposes of those designing this work, but the *design* itself, the *structure* as it left the hands of the mastermechanics, we do, in the most unqualified terms, pronounce to have been unsuited to the purposes designed, bad in their arrangement, at all times insecure and dangerous, and never properly and thoroughly secured by the builder. We regret most deeply the necessity of this latter remark.

Charity compels us more to the belief that it was an oversight, rather than a desire to slight the work for any difference of compensation that might be gained by so doing. Charity causes us therefore to hope and believe that this was an oversight of the builder.

Whatever may have been the good intentions of the builder of this stairway, it is most manifestly clear, that there was great negligence, if not culpable indifference and carelessness, to a proper performance of the work. And that all concerned, the original contractors, master, and those having in charge the supervision of the work, are alike responsible for the imperfection in the work of these stairways.

That all who perished at that disaster came to their death from the giving way of this newel and the consequent breaking of the balusters, we do not believe. That many would have suffocated as was the case with several on the rear stairway, is unquestionably true. All the testimony upon this point goes to establish this truth. Yet it is also true, that very many who would otherwise have escaped, perished from this cause. But in immediate connection with this, and as forming a prominent part in the sad history of woe that followed, was the fact that the outer doors leading to the street were so hung as to swing "inwards," and unfortunately at the time the doors opposite these, leading to the play ground under the building, were both closed, and but for the fortunate circumstance that the northerly half of the middle outer door was at the time open, God only knows what must have been the consequences. That multitudes more would most undoubtedly have perished, is clearly evident.

To this evil, perhaps, more than to the stairway, is attributable the great number of lives sacrificed. This mode of hanging outer doors in public buildings, we are advised, is most commonly adopted. But whatever may be the practice, we cannot too strongly reprobate it.

Had the reverse been the case, at the time of alarm, and at the breaking of the ill-fated balusters of this Ward School, instead of being heaped up in a pile of from six to eight feet deep, as were the children in the prison house thus prepared for them, their weight would have opened to them a place of escape, and few, we think, comparatively few indeed, would have suffered death on that occasion.

LECTURES IN THIS STATE

THE New York readers of the *Standard* will have observed that a lecturing campaign has been opened, in this State, by Parker Pillsbury and Lewis Ford. Mrs. A. K. Foster was about to leave home for the same purpose when we last heard from her, but she may possibly be detained there, or recalled by the illness of her husband. He, we are sorry to hear, is so indisposed as to render it prudent that he should relinquish, for a while, his public services.

Of Miss Holley, we have heard nothing since the report by Mr. May in the last *Standard*. She is, we presume, lecturing somewhere, and those in that neighbourhood, wherever it is, will be likely to hear of it.

As no one is acting as General Agent in this State, whose duty it is to make appointments for lecturers and see that they are properly advertised, we suggest that each agent send notice of his or her arrangements to this paper, not only that its N. Y. readers may know when and precisely where to expect lecturers that may visit their neighbourhood, but that the cause at large may not lose the benefit of such evidence that the agents of the American Society are busy sowing the good seed. We have the promise of Mr. Pillsbury, that he will keep us informed of his movements, and we congratulate our readers on that expectation. Excepting his letters, however, we shall probably know nothing of the success of the lecturers, or the want of it, as it has become, no doubt, for some good reason, a fixed principle among almost all of them that the influence which single meetings or conventions exert for the day or two that they may be in session, is all that can be expected, and that to extend that influence by keeping the public at large informed of their movements is unnecessary. We entirely disagree with them, and believe that the good they do would be doubled, even if they lectured less to write more. As they have, of course, reasons quite as powerful to them, and quite as well considered, for thinking otherwise, it is useless to attempt to change their minds, by stating the considerations that weigh with ours; if, however, it should ever happen to be, as Friends say, borne in upon their minds that

"They should write who never wrote before,
And they who always wrote should write the more,"

then we can assure them of a welcome to our columns, and, if the letters are "slab and good," of attentive readers.

SOUTH CAROLINA BACKED OUT.—The fire-eaters of South Carolina have not even waited to see whether any traitors are to be hanged in Pennsylvania, or in this State, but, before the death of Gorsuch is avenged, or the escapes of Jerry and of Shadrach are atoned for, have concluded to give to Disunion an indefinite postponement. In the House of Delegates of that State, on Saturday last, a Mr. Ayres gave notice of his intention to introduce a bill calling a State Convention to take measures for the secession of South Carolina from the Union. Thereupon, a Mr. Owens offered a Resolution opposing such a call, and declaring that the recent vote of the State has settled conclusively that she will not secede. This, it is believed, will be carried when it comes up for action.

Beside this very pregnant indication of the present attitude of the State, at a Co-operation Convention held at Columbia, on the 29th ult., a report was made in the following Resolutions, by a Committee consisting of Langdon Cheeves, Senator Barnwell, Chancellor Johnson, James Chesnut, Jr., T. N. Darkins, A. P. Aldrich and John Townsend:

Resolved, That we regard the State as having decided, that whilst the right of seceding is a fundamental and indisputable right, the exercise of it by a single State, without the well-grounded assurance of concurrence and support of other States, is not the appropriate remedy for existing grievances, nor a sufficient safeguard against those which menace in the future; and that any attempt, directly or indirectly, to accomplish this purpose would be made in contravention of a clear declaration of the public will

Resolved, That we regard the State as having decided, that a concert of action among the slaveholding States, or a sufficient number of them to make their action effectual, is essential to the remedy of existing evils. Co-operation, for these purposes, ought to be earnestly sought after and promoted.

Resolved, That the State entertains a deep and indignant sense of her grievances, and of the efforts made to oppress and assail her, and that she will persevere in her determination to remove and avert them so soon as the co-operation of other slaveholding States shall give to her action efficiency and render her security permanent.

Resolved, That we regard these declarations of public will as having removed all the causes that separate those who advocate separate secession from those who advocate co-operrtion, and that we shall feel sincere satisfaction should they now unite in pursuing the same policy which the State has marked out for herself, in strict accordance with the principles heretofore maintained by the State.

Resolved, That we think it expedient that the organization of those who desire to promote co-operation should be preserved.

SLAVE HUNTS.—The Pennsylvania papers state that two persons, alleged to be the slaves of Wm. T. McDermott, of Baltimore, were arrested, a few days ago, at Columbia, Pa., on a warrant issued by the notorious whipper-in, Commissioner McAllister, of Harrisburg. A large crowd of whites and blacks, says the *Pennsylvanian*, "immediately assembled, and in consequence of the interference of a white man, who knocked a pistol out of the officer's hands, one of the fugitives soon made his escape by jumping into a cellar, when the white man, to prevent a pursuit, jumped on the cellar door, so that no access could be had to the fugitive. The two negroes are brothers, and the one who was captured and taken to Baltimore has given such information as to lead to the hope that the other may be re-captured. He also states that two white men in Baltimore assisted them in making their escape to Pennsylvania. Mr. McDermott proceeded to Columbia, on Monday morning, for the purpose of taking measures to arrest the man who interfered and rescued the fugitive from the hands of the officers."

Another case occurred last week in the neighbourhood of New Philadelphia, Md., which caused a good deal of excitement even in that State. The victim is a woman, Martha Rouse by name, who was arrested by some persons from Louisville, Ky., who claimed her as the slave of a Mr. Shreve. The *Salem (Md.) News* says, that she acknowledged the claim, and has been taken to Louisville. The same paper adds these particulars of her case:

It is said to be about ten years since she made her escape and took her quarters in or near New Albany, where she was afterwards married to Charles Rouse, a black man, greatly her senior in years. They immediately removed to the neighbourhood of New Phila., where they continued to live together up to the time of her arrest. They were highly respected by their neighbours, for their honesty and peaceable dispositions, and all appear to regret the event which has separated them. Our informant states that she had never told her husband that she was a slave. The old man is represented as being in deep distress for the loss of his wife, and it is alleged that he is about taking some steps to try to reclaim her, alleging that the men who made the arrest showed no authority for doing so.

MR. BROOKS admitted the fact [not voting for the Fugitive Slave Bill], and it was the most unfortunate act of his life that he did not vote for it.—*Cong. Rep.*

As no little curiosity has been felt in this city, and no little pains taken by several of the morning papers, for more than a year past, to ascertain why Mr. Brooks did not vote for the Fugitive Slave Law, this remark of his, on that subject, will be received with a good deal of satisfaction. It is not, to-be-sure, a perfectly straightforward answer, but it implies that the misfortune was one of his own creating. It is an acknowledgement that he had not then the courage to do that which the aspect of the times now bears him out in publicly confessing his repentance for not doing. We doubt if there are many men, except the editor of the *New York Express* who would have the boldness to make such a confession. It involves, first, regret that he did not do a bad thing; second, that nothing but cowardice prevented his doing it; and third, that he is not ashamed, now, when events have shown that his fears were ill-timed, to avow both his baseness and cowardice. He has fairly opened the way now for his motion to abolish the duty on Salt.

ANOTHER ELLEN CRAFTS.—The [*Sandwich, C. W.*] *Voice of the Fugitive*, says that it had the pleasure, a few days ago, of greeting a likely young female on the Canadian shore, who was dressed up in her old master's best jacket and trousers. She was well dressed in male attire, which was the most effectual way in which she could have eluded the chase of the keen-scented slave-hunter. In proof of this, her old master passed her on the highway, in a Free State, in hot pursuit, making her a polite bow in passing, but not recognising her, even in his own suit.

CALVIN FAIRBANKS writes to *Frederick Douglass' Paper* confirming the report of his arrest and imprisonment in Kentucky, on a charge of assisting in the escape of a slave. He was taken in Indiana, opposite Louisville and hurried across the river in spite of his protestations to the by-standers and the U. S. Marshal against the legality of the proceedings. He has secured counsel to defend him on his approaching trial, but is greatly in want of funds. For these he appeals to his friends at the North.

A NEW SOCIETY.—A letter from Mr. A. S. Wellman, Secretary, informs us of the formation of a new Anti-Slavery Society, at Yorkshire Centre. It consists of fifteen members, which is a large number when we remember that it is in a sparsely populated neighbourhood, and where but little Anti-Slavery labour has been bestowed. A fundamental principle of the Society, moreover, is 'No Union with Slaveholders,' and that alone would be quite certain to prevent its being a very popular association.

This Society is the fruit of the labours of our indefatigable agent, Mr. Phillio. The growth of these little societies of his creating are the best evidence that can be given of his success, and a most valuable assurance of the diffusion of true Anti-Slavery.

MR. THRASHER.—A late arrival from Cuba reports that Gen. Concha, the Captain General, has indicated his intention of pardoning Mr. Thrasher, on condition of his leaving the Island in twenty days.

☞ THE *Boston Commonwealth* has again changed hands, and is hereafter to be conducted by Elizur Wright and Charles List. It ceases to be the organ of the Free Soil party, though avowing still Free Soil principles.

THIS WEEK'S PAPER.—We must cry the mercy of correspondents, as well as readers, this week, that so large a portion of our space is occupied with the Trial in Philadelphia. We hope, next week, to be less crowded, and to have room for several communications on hand.

PLEDGES AT THE ANNUAL MEETING.—We find from the list of Pledges made at the Annual Meeting that there are some still unpaid. As this is the season when the purse of the American Society is most "flaccid, that will not fling against the wind," those intending to be donors to its treasury, for this year, will choose an acceptable time by availing themselves of this.

Domestic Correspondence.

CONSUL OWEN AND HIS SUCCESSOR.

Correspondence of the Anti-Slavery Standard.

BALTIMORE, NOV. 24, 1851.

CIRCUMSTANCES within my personal knowledge, touching a point of public interest, induce me to address you.

Allen F. Owen, our late Consul at Havana, has been almost universally condemned by the press for his conduct in the matter of the men who were executed at Havana. Although those who have "*condemned him without a hearing*" have been guilty of the gross inconsistency of doing precisely what they have complained of in the alleged action of the Cuban authorities, it is not my purpose to defend him. I prefer to be so far consistent as to await the self-defensive statement which he has promised to make, on his return to this country, thus acting upon the equitable rule of *audi alteram partem*. But I fear not to venture an opinion as to the charge of "unmercifulness," and that *is* that Mr. Owen *designed* unkindness towards the said prisoners. I predicate this upon my knowledge of the man, whose entire temperament, and tone of thought and feeling, always appeared to me to be characteristic of a calm-spirited and humane man—habitually and practically so, let me say, for a *Georgian*, who was thought trust-worthy enough to be sent to Washington, to guard the *in*humane institution prevalent in that State. And, if you want to know the terrible significance of the appellation of "*Georgiaman*," just use it in the hearing of a Maryland slave! Nay, even the word "Georgia" itself.

I was Mr. Owen's fellow-boarder, while I was sojourning in Washington, and he was a member of the House; and, although our acquaintance was by no means intimate, I had frequent opportunities for studying his traits. It is on the knowledge then acquired that I have predicated my opinion of his "disposition," just expressed. But there is a probability, as to Mr. Owen's feelings towards the "peculiar institution" of his State, which may have had some influence on his conduct in the case referred to, while preventing him from conforming his course to the "policy" of the present Administration, and the political exigencies of the occasion. Mr. Owen was educated at the North—in "*old* Harvard." Like Cassius M. Clay, and other Southern men, who were placed under the like influences during the maleable season of youth, he clearly derived no strength to his Southern prejudices, however little inclined he may have been, to "conquer" them altogether. Although voting with his colleagues on the issues between Slavery and Freedom, he never seemed to catch the "fire of indignation" at the recount of "Northern aggressions," which used to light up their countenances and propel their tongues. Whatever might have been his *opinions* as to Slavery and Anti-Slavery "fanaticism," he clearly did not regard the slave interest as the only one worth caring for, or *fighting* for; and, if his official agency was designed to be used for the facilitation of the purposes of the slave interest with reference to Cuba, Mr. Fillmore committed a great mistake in selecting him originally, or retaining him as Consul at Havana, with the slightest knowledge of those designs. It was not within Mr. Owen's view of official duty, much less within his inclinations, judging by my knowledge of the man, to take any *ex parte*, or one-sided, course with reference to the invaders of the soil of a nation with which his own nation was at peace. Judging by the judicial conduct of the individual who has superceded Mr. Owen, as instanced by his decision on the will of Elisha Brazeale, whereby the roll of Slavery was increased, contrary to the wishes of the dying *husband and father* of those whom that decision converted from freemen to slaves, *he*, doubtless, has been wisely selected, and will be on hand for any future emergency of Slavery-propagandism! I need only allude to this outrageous decision, to effect my purpose of a contrast between these two officials, as I suppose your readers have been already made sufficiently familiar with the facts.

And, now, having alluded to the character of Judge Sharkey, it may be well enough to have it known that he was Hangman Foote's "right-hand man" in Mississippi, when he was so terribly under the ban there, and all the more efficient, as such, from the fact of his being a *Whig*. In return for his essential services to his Democratic ally, Foote, the latter sent for him and urged his appointment to one of the vacant Cabinet stations. Failing in that, that prince of political managers has probably held the Administration to some "put off" promise, and obtained the present most admirably adapted mission for him. I think I see the touch of the Hangman General's *finesse* in this amended Cuban arrangement. *Par nobile fratum!* The one could, by a cool judicial decision, and with a seeming chuckle of fiendish pleasure, consign freemen to Slavery—the wife and children, be it not forgotten, of him who willed them free! The other has proclaimed himself ready, with like coolness, to play the part of the executioner of one who dared to advocate the natural rights of those wronged ones and their despoiled brethren.

It is clear, from this glance at facts to which I have desired to direct attention, that whatever dissatifaction Mr. Fillmore may have created among his "Southern friends," by the *faux-pas* of Mr. Owen's appointment, has been amply atoned for by the substitution of Mr. Sharkey, the first syllable of whose name will furnish not a bad index to his temperament. SIGMA.

Notices.

NATIONAL ANTI-SLAVERY BAZAAR.

THE Committee of the National Anti-Slavery Bazaar take this early opportunity of acquainting its friends with their arrangements, that ample time may be afforded for such general co-operation as shall ensure a more brilliant success than has attended any previous occasion.

The times demand a far higher and more self-denying exertion than ever before, and we doubt not that their claim will be heard and nobly answered, by the contribution of a ten-fold amount of money, labour and sympathy.

The friends of the slave in other countries are helping us on, not merely by their strong words of faith and encouragement, but by their devotion of weeks of patient and tasteful toil, and in many instances by the exertion of self-denying economy. The inmates of the Blind Asylum at Bristol, England, are employing their private earnings in time borrowed from their allotted hours of recreation for the manufacture of those beautiful articles that have added so much in previous years to the value of the Bazaar. In view of all this, will not every Abolitionist at home feel impelled to a redoubled exertion?

The Bazaar will open on THURSDAY, DECEMBER 18, at the spacious and beautiful Hall over the Worcester Depot, commonly known as ASSEMBLY HALL.

Such Ladies as design furnishing tables, and wish arrangements made for their accommodation while in Boston, will please give early information of the same.

Ladies sending boxes of articles will please accompany them with a letter, stating particularly the names of the donors, town, &c., and the estimated value of the articles. Money for the general purposes of the Bazaar, or the publication of the Liberty Bell, may be forwarded to

A. W. WESTON,
Weymouth, Mass.

Fourth Worcester Anti-Slavery Bazaar.

WILL be held in BRINLEY HALL, on *NEW YEAR'S WEEK*, commencing on TUESDAY EVENING, Dec. 30, and closing on FRIDAY EVENING, Jan. 2.

In renewing our claim upon every lover of the right, every friend of the oppressed, for aid and co-operation, we feel assured that no word of appeal can so arouse the conscience, or quicken the sympathy, as a consideration of the outrages which, during the past year, have again and again been perpetrated in our midst; legitimate fruits, as they are, of the systematic injustice toward one portion of God's children, which darkens and disgraces our country. Every individual should remember that he will be held responsible for the sin of Slavery, so far as his personal influence extends, unless that is exerted against the iniquitous system. Let, then, those who have hitherto satisfied themselves with a passive deprecation of its evils, worthily close the Old Year, and consecrate the New, by commencing a course of faithful and earnest Anti-Slavery action; while those already in the ranks, who entered upon the campaign well knowing that it would be long, and its victories, though sure, not lightly won, must hold themselves ready for renewed self-sacrifice, and patient, enduring toil. If the voices of freemen are ever to be raised in behalf of the slave, they should utter an availing protest NOW against the iniquity which triumphs in the land; and a helping hand should be extended toward any enterprise, however humble, which looks in the direction of Freedom. Our success in each previous year has clearly demonstrated the efficiency of Fairs, as a subordinate instrumentality, for the raising of funds, in furtherance of the great work of Emancipation; and the attractions we are this year enabled to offer, in the display of foreign goods, are unusually great, the selections being unsurpassed for beauty and variety. We hope also to present a better assortment than has hitherto been afforded us, of useful and desirable articles of home manufacture.

The Refreshment Table will be found liberally supplied, at all hours of the day and evening, as usual. We feel assured that the friends of the cause in Worcester, and our faithful fellow-labourers throughout the county, will not forget that donations of Tea, Coffee, Sugar, Cream, Milk, Cake, Cold Meats, &c., are always greatly needed, and that Fruit will be peculiarly acceptable.

Articles for the Bazaar may be sent to Brinley Hall on Monday and Tuesday preceding, or at any late date during the Fair.

SARAH H. EARLE,
EMILY SARGENT,
EMMA W. WYMAN,
LUCY CHASE,
HANNAH RICE,
ADELINE H. HOWLAND,
ELIZA A. STOWELL,
OLIVE LOVELAND,
HANNAH M. ROGERS,
SARAH L. BUTMAN,
SARAH R. MAY, Leicester;
F

Miscellany.

THE DRESS OF FRIENDS.

[From an article on the Customs of Friends in *The British Friend.*]

They stand distinguished by means of it from all other religious bodies. The men do not wear lace, frills, ruffles, swords, or any of the ornaments used by the fashionable world. The women wear no lace, flounces, lappets, rings, bracelets, necklaces, ear-rings, nor anything belonging to this class. Both sexes are also particular in the choice of the colour of their clothes. All gay colours, such as red, blue, green, and yellow, are exploded. Dressing in this manner, a member of this Society is known by his apparel through the whole kingdom. This is not the case with any other individuals of the island, except the clergy; and these, in consequence of the black garments worn by persons on account of the death of their relations, are not always distinguishable from others.

I know of no custom among Friends which has more excited the curiosity of others than this of their dress, and none in which they have been more mistaken in their conjectures concerning it.

In the early times of English history, dress was frequently regulated by the government.—*See* Strutt's *Antiquities*. Persons of a certain rank and fortune were permitted to wear only clothing of a certain kind. But these restrictions and distinctions were gradually broken down; and people, as they were able and willing, launched out into unlimited extravagance in their dress. The fifteenth and sixteenth centuries, and down from thence to the time when Friends first appeared, were periods particularly noticed for prodigality in the use of apparel. There was nothing too expensive or too preposterous to be worn. Our ancestors, also, to use an ancient quotation, "were never constant to one colour or fashion two months to an end." We can have no idea, by surveying the present generation, of the folly in such respects of these early ages. But these follies were not confined to the laity. Affectation of parade and gaudy clothing were admitted among many of the clergy, who incurred the severest invectives of the poets on that account. The Ploughman in Chaucer's *Canterbury Tales* is full upon this point. He gives us the following description of a priest:

> "That hye on horse wylleth to ride,
> In glytterande gold of great araye,
> Ypainted and portred all in pryde,
> No common knyght may go so gaye;
> Chaunge of clothyung every daye,
> With golden gyrdels great and small;
> As boystrous as it were at baye:
> All suche falshed mote nede fall.

To this he adds that many of them had more than one or two mitres, embellished with pearls like the head of a queen, and a staff of gold set with jewels, as heavy as lead. He then speaks of their appearing out of doors with broad bucklers and long swords, or with baldricks about their necks, instead of stoles, to which their baselards were attached:

> "Bucklers brode and swoardes long,"
> "Baudryke with baselards kene."

He then accuses them with wearing gay gowns of scarlet and green colours, ornamented with cut work, and for the long pykes upon their shoes.

But so late as the year 1652 we have the following anecdote of the whimsical dress of a clergyman: John Owen, dean of Christ-church, and vice-chancellor of Oxford, is represented as wearing a lawn band, as having his hair powdered, and his hat curiously cocked. He is described, also, as wearing Spanish-leather boots with lawn tops, and snake-bone band-strings with large tassels, and a large set of ribands pointed at his knees with points or tags at the end. And much about the same time, when Charles II. was at Newmarket, Nathaniel Vincent, doctor of divinity, fellow of Clarehall, and chaplain in ordinary to his majesty, preached before him. But the king was so displeased with the foppery of this preacher's dress, that he commanded the duke of Monmouth, then chancellor of the University, to cause the statutes concerning decency of apparel among the clergy to be put into execution; which was accordingly done.

These instances are sufficient to show that the taste for preposterous and extravagant dress must have operated like a contagion in those times, or the clergy would scarcely have dressed themselves in this ridiculous and censurable manner.

But although this extravagance was found among many orders of society at the time of the appearance of George Fox, yet many individuals had set their faces against the fashion of the world. These consisted principally of religious people of different denominations, most of whom were in the middle classes of life. Such persons were found in plain and simple habits, notwithstanding the contagion of the example of their superiors in rank. The men of this description generally wore plain round hats with common crowns. They had discarded the sugar-loaf hat, and the hat turned up with a silver clasp on one side, as well as all ornaments belonging to it, such as pictures, feathers, and bands of various colours. They had adopted a plain suit of clothes. They wore cloaks, when necessary, over these: but both the clothes and the cloaks were of the same colour. The colour of each of them was either drab or gray. Other people, who followed the fashions, wore white, red, green, yellow, violet, scarlet, and other colours, which were expensive, because they were principally dyed in foreign parts. The drab consisted of the white wool undyed; and the gray of the white wool mixed with the black, which was undyed also. These colours were then the colours of the clothes, because they were the least expensive, of the peasants of England, as they are now of those of Portugal and Spain. They had discarded, also, all ornaments, such as of lace, or bunches of ribands at the knees; and their buttons were generally of alchymy, as this composition was then termed, or of the same colour as their clothes.

The grave and religious women, also, like the men, had avoided the fashions of their times. These had adopted the cap and the black hood for their head-dress. The black hood had been long the distinguishing mark of a grave matron. All prostitutes, so early as Edward, III., had been forbidden to wear it. In aftertimes it was celebrated by the poets by epithet of Venerable, and had been introduced by painters as the representative of Virtue. When fashionable women had discarded it, which was the case in George Fox's time, the more sober, on account of these ancient marks of its sanctity, had retained it, and it was then common among them. With respect to the hair of grave and sober women in those days, it was worn plain and covered occasionally by a plain hat or bonnet. They had avoided by this choice those preposterous head-dresses and bonnets, which none but those, who have seen paintings of them, could believe ever to have been worn. They admitted none of the large ruffs that were then in use, but choose a plain handkerchief for their necks, differing from those of others, which had rich point and curious lace. They rejected the crimson satin doublet with black velvet skirts, and contented themselves with a plain gown, generally of stuff, and of a drab, or gray, or buff, or buffin colour as it was called, and faced with buckram. These colours, as I observed before, were the colours worn by country-people, and were not expensive—because they were not dyed. To this gown was added a green apron. Green aprons had been long worn in England; yet, at the time I allude to, they were out of fashion, so as to be ridiculed by the gay: but old-fashioned people still retained them. Thus an idea of gravity was connected with them; and therefore religious and steady women adopted them as the grave and sober garments of ancient times.

It may now be observed, that from these religious persons, habited in this manner in opposition to the fashions of the world, the primitive Friends generally sprung. George Fox himself wore the plain gray coat that has been noticed, with alchymy buttons, and a plain leathern girdle about his waist. When Friends, therefore, first met in religious union, they met in these simple clothes. They made no alteration in their dress on account of their new religion. They prescribed no form or colour as distinguished marks of their sect; but they carried with them the plain habits of their ancestors into their new Society, as the habits of the grave and sober people of their own times.

Though George Fox never introduced any new or particular garments, when he formed the Society, as models worthy of the imitation of those who joined him, yet, as a religious man, he was not indifferent on the subject of dress. Nor could he, as a reformer, see those extravagant fashions, which I have shown to have existed in his time, without publicly noticing them. We find him accordingly recommending to his followers simplicity and plainness of apparel, and bearing his testimony against the preposterous and fluctuating apparel of the world.

In the various papers, which he wrote or gave forth upon this subject, he laid it down as a position, that all ornaments, superfluities, and unreasonable changes in dress, manifested an earthly or worldly spirit. He laid it down, again, that such things being adopted principally for the lust of the eye, were productive of vanity and pride; and that, in proportion as men paid attention to these outward decorations and changes, they suffered some loss in the value and dignity of their minds. He considered, also, all such decorations and changes as contrary both to the letter and the spirit of the Scriptures. Isaiah, one of the greatest prophets under the Law, had severely reproved the daughters of Israel on account of their tinkling ornaments, cauls, round tires, chains, bracelets, rings, and ear-rings. St. Paul, also, and St. Peter, had both of them cautioned the women of their own times to adorn themselves in modest apparel, and not with broidered hair, or gold, or pearls, or costly array. And the former had spoken to both sexes indiscriminately not to conform to the world: in which latter expression he evidently included all those customs of the world, of whatsoever nature, that were in any manner injurious to the morality of the minds of those who follow them.

By the publication of these sentiments, George Fox showed to the world that it was his opinion that religion, though it prescribed no particular form of apparel, was not indifferent as to the general subject of dress. These sentiments became the sentiments of his followers: but the Society was coming fast into a new situation. When the members of it first met in union, they consisted of grown-up persons; of such as had had their minds spiritually exercised, and their judgments convinced in religious matters; of such, in fact, as had been Friends in spirit before they had become such by name. All admonitions, therefore, on the subject of dress were unnecessary for such persons. But many of those who had joined the Society, brought with them children into it, and, from the marriages of others, children were daily springing up. To the latter, in a profligate age, where the fashions were still raging from without, and making an inroad upon the minds and morals of individuals, some cautions were necessary for the preservation of their innocence in such a storm. For these were the reverse of their parents. Young in point of age, they were Friends by name before they could become such in spirit. Robert Barclay, therefore, and William Penn, kept alive the subject of dress, which George Fox had been the first to notice in the Society. They followed him on his scriptural ground. They repeated the arguments, that extravagant dress manifested an earthly spirit, and that it was productive of vanity and pride. But they strengthened the case by adding arguments of their own. Among these I may notice, that they considered what were the objects of dress. They reduced these to two—to decency and comfort—in which latter idea was included protection from the varied inclemencies of the weather. Everything, therefore, beyond these they considered as superfluous: of course, all ornaments would become censurable, and all unreasonable changes indefensible, upon such a system.

These discussions, however, on this subject, never occasioned the more ancient members to make any alteration in their dress; for they continued, as when they had come into the Society, to be a plain people. But they occasioned parents to be more vigilant over their children in this respect, and they taught the Society to look upon dress a subject connected with the Christian religion, in any case where it could become injurious to the morality of the mind. In process of time, therefore, as the fashions continued to spread, and as the youth of the Society began to come under their dominion, Friends incorporated dress among the other subjects of their discipline. Hence, no member, after this period, could dress himself preposterously, or follow the fleeting fashions of the world, without coming under the authority of friendly and wholesome admonition. Hence, an annual inquiry began to be made, if parents brought up their children to dress consistently with their Christian profession. The Society, however, recommended only simplicity and plainness to be attended to on this occasion. They prescribed no standard, no form, no colour, for the apparel of their members. They acknowledged the two great objects of decency and comfort, and left their members to clothe themselves consistently with these, as it was agreeable to their convenience or their disposition.

A new æra commenced from this period. Persons already in the Society continued of course in their ancient dresses. If others had come into it by convincement, who had led gay lives, they laid aside their gaudy garments, and took those that were more plain: and the children of both, from this time, began to be habited from their youth as their parents were.

But though Friends had thus brought apparel under the disciplinary cognizance of the Society, yet the dress of individuals was not always alike, nor did it continue always one and the same even with the primitive members of it; nor has it continued one and the same with their descendants. For, decency and comfort having been declared to be the true and only objects of dress, such a latitude was given as to admit of great variety in apparel.—Hence, if we were to see a group of modern Friends before us, we should probably not find any two of them dressed alike. Health, we all know, may require alterations in dress. Simplicity may suggest others. Convenience, again, may point out others: and yet all these various alterations may be consistent with the objects before specified. And here it may be observed that the Society, during its existence for a century and a half, has without doubt, in some degree, imperceptibly followed the world, though not in its fashions, yet in its improvements of clothing.

It must be obvious, again, that some people are of a grave, and others of a lively disposition, and that these will probably never dress alike. Other members, again, but particularly the rich, have a larger intercourse than the rest of them, or mix more with the world. These, again, will probably dress a little differently from others; and yet, regarding the two great objects of dress, their clothing may come within the limits which these allow. Indeed, if there be any, whose apparel would be thought exceptionable by the Society, these would be found among the rich. Money, in all societies, generally takes the liberty of introducing exceptions. Nothing, however, is more true than that even among the richest of the Society there is frequently as much plainness and simplicity in their outward dress as among the poor: and, where the exceptions exist, they are seldom carried to an extravagant, and never to a preposterous, extent.

From this account it will be seen, that the ideas of the world are erroneous on the subject of the dress of the Society; for it has always been imagined that, when the early Friends first met in religious union, they met to deliberate and fix upon some standard, which should operate as a political institution, by which the members should be distinguished by their apparel from the rest of the world. The whole history, however of the shape and colour of the garments of the Society is as has been related, namely, that the primitive members dressed like the sober, steady, and religious people of the age in which the Society sprung up, and that their descendants have departed less, in a course of time, than others from the dress of their ancestors. The men's hats are nearly the same now, and many of their clothes are nearly of the same shape and colour, as in the days of George Fox. The dress of the women, too, is nearly similar. The black hoods indeed have gone, in a certain degree, out of use: but many of such women as are ministers and elders, and indeed many others of age and gravity of manners, still retain them. The green apron, also, has been nearly, if not wholly, laid aside. There was here and there an ancient woman who used it within the last ten years; but I am told that the last of these died lately. No other reasons can be given, than those which have been assigned, why women Friends should have been found in the use of a colour that is so unlike any other which they now use in their dress. Upon the whole, if the females were still to retain the use of the black hood and the green apron, we should find that persons of both sexes in the Society, but particularly such as are antiquated, or as may be deemed old-fashioned in it, would approach very near to the first or primitive members in their appearance, both as to the sort, the shape, and the colour, of their clothes. Thus has George Fox, by means of the advice he gave upon this subject, and the general discipline which he introduced into the Society, kept up, for a hundred and fifty years, against the powerful attacks of the varying fashions of the world, one steady and uniform external appearance among his descendants; an event, which neither the clergy by means of their sermons, nor other writers, whether grave or gay, were able to accomplish during the fifteenth or sixteenth centuries, and which none of their successors have been able to accomplish from that time to the present.

A NEWSPAPER EDITOR.

The elder Sterling, after many battles, had reached his field of conquest in these years, and was to be regarded as a victorious man. Wealth sufficient, increasing not diminishing, had rewarded his labours in the *Times*, which were now in their full flower. He had influence of a sort; went busily among busy public men; and enjoyed in the questionable form attached to journalism and anonymity, a social consideration and position which were abundantly gratifying to him. A singular figure of the epoch; and when you came to know him, which it was easy to fail of doing if you had not eyes and candid insight, a gallant, truly gifted, and manful figure, of his kind. We saw much of him in this house: much of all his family; and had grown to love them all right well—him too, though that was the difficult part of the feat. For in his Irish way he played the conjuror very much—"three hundred and sixty-five opinions in the year upon every subject," as a wag once said.

In fact his talk, ever ingenious, emphatic and spirited in detail, was much defective in earnestness, at least in clear earnestness, of purport and out come but went tumbling as if in mere welters of explosive unreason; a volcano heaving under vague deluges of scoriæ, ashes and imponderous pumice-stones, you could not say in what direction, nor well whether in any. Not till after good study did you see the deep-molten lava-flood, which simmered steadily enough, and showed very well by and by whither it was bound. For I must say of Edward Sterling, after all his daily explosive sophistries, and fallacies of talk, he had a stubborn instinctive sense of what was manful, strong, and worthy; recognised with quick feeling, the charlatan under his solemnest wig; knew as clearly as any man a pusillanimous tailor in buckram, an ass under the lion's skin, and did with his whole heart despise the same.

The sudden changes of doctrine in the *Times*, which failed not to excite loud censure and indignant amazement in those days, were first intelligible to you when you came to interpret them as his changes. These sudden whirls from east to west on his part, and total changes of party and articulate opinion at a day's warning, lay in the nature of the man, and could not be helped; products of his fiery impatience, of the combined impetuosity and limitation of an intellect, which did, nevertheless, continually gravitate towards what was loyal, true, and right on all manner of subjects. These, as I define them, were the mere scoriæ and pumice wreck of a steady central lava-flood, which truly was volcanic and explosive to a strange degree, but did rest as few others on the grand fire-depths of the world. Thus, it he stormed along, ten thousand strong in the time of the Reform Bill, indignantly denouncing toryism and its obsolete insane pretensions; and then if, after some experience of whig management, he discerned that Wellington and Peel, by whatever name entitled, were the men to be depended on by England—there lay in all this, visible enough, a deeper consistency far more important than the superficial one so much clamoured after by the vulgar. Which is the lion's skin; which is the real lion? Let a man, if he is prudent, ascertain that before speaking; but above and beyond all things, let him ascertain it, and stand valiantly to it when ascertained! In the latter essential part of the operation, Edward Sterling was honorably successful to a really marked degree; in the former, or prudential part, very much the reverse, as his history in the journalistic department at least, was continually teaching him.

An amazingly impetuous, hasty, explosive man, this "Captain Whirlwind," as I used to call him. Great sensibility lay in him, too; a real sympathy, and affectionate pity and softness, which he had an over tendency to express even by tears—a singular sight in so leonine a man. Enemies called them, maudlin and hypocritical, these tears; but that was nowise the complete account of them. On the whole there did conspicuously lie a dash of ostentation, a self-consciousness apt to become loud and braggart, over all he said and did and felt; this was the alloy of the man, and you had to be thankful for the abundant gold along with it.

Quizzing enough he got among us for all this, and for the singular *chiaroscuro* manner of procedure, like that of an Archimagus Cagliostro, or Kaiser Joseph Incognito, which his anonymous known-unknown thunderings in the *Times* necessitated in him; and much we laughed—not without explosive counterbanterings on his part—but in fine one could not do without him; one knew him at heart for a right brave man. "By Jove, sir!" thus he would swear to you, with radiant face; sometimes, not often, by a deeper oath. With persons of dignity, especially with women, to whom he was always very gallant, he had courtly delicate manners, verging towards the wiredrawn and elaborate; on common occasions he bloomed out at once into jolly familarity of the gracefully boisterous kind, reminding you of messrooms and old Dublin days.

His off hard mode of speech was always precise, emphatic, ingenious; his laugh, which was frequent rather than otherwise, had a sincerity of banter, but no real depth of sense for the ludicrous, and soon ended, if it grew too loud, in a mere dissonant stream. He was broad, well built, stout of stature—had a long lowish head, sharp gray eyes, with large strong, aquiline face to match—and walked, or sat, in an erect decisive manner. A remarkable man, and playing especially in those years, 1830-40, a remarkable part in the world.

For it may be said the emphatic, big-voiced, always influential, and often strongly unreasonable, *Times* newspaper, was the express emblem of Edward Sterling; he more than any other man of circumstances, was the *Times* newspaper, and thundered through it to the shaking of the spheres. And let us assert withal that his and its influence in those days was not ill-grounded, but rather well; that the loud manifold unreason, often enough vituperated and groaned over, was of the surface mostly; that his conclusions, unreasonable, partial, hasty, as they might at first be, gravitated irresistibly towards the right—in virtue of which grand quality, indeed, the root of all good insight in man, *Times* oratory found acceptance, and influential audience, amid the loud whirl of an England itself logically very stupid, and wise chiefly by instinct.

Connected with this matter a remarkable note has come into my hands—honourable to the man I am writing of, and in some sort, to another higher man—which, as it may now (unhappily for us all) be published without scruple, I will not withhold here. The support, by Edward Sterling and the *Times*, of Sir Robert Peel's first ministry, and generally of Peel's statesmanship, was a conspicuous fact in its day; but the return it met with from the person chiefly interested, may be considered well worth recording. The following letter, after meandering through I know not what intricate conduits, and consultations of the mysterious entity whose address it bore, came to Edward Sterling, as the real flesh-and-blood proprietor, and has been found among his papers. It is marked private:

(PRIVATE).

To the Editor of the Times:

WHITEHALL, April 18th, 1835.

Sir—Having this day delivered into the hands of the king the seals of office, I can, without any imputation of an interested motive, or any impediment from scrupulous feelings of delicacy, express my deep sense of the powerful support which that government over which I had the honour to preside, received from the *Times* newspaper. If I do not offer the expressions of personal gratitude, it is because I feel that such expressions would do injustice to the character of a support which was given exclusively on the highest and most independent grounds of public principle. I can say this with perfect truth, as I am addressing one whose person even is unknown to me, and who during my tenure of power studiously avoided every species of intercourse which could throw a suspicion upon the motives by which he was actuated. I should, however, be doing injustice to my own feelings, if I were to retire from office without one word of acknowledgment—without at least assuring you of the admiration with which I witnessed, during the arduous contest in which I was engaged, the daily exhibition of that extraordinary ability to which I was indebted for a support, the more valuable because it was an impartial and discriminating support. I have the honour to be, sir, ever your most obedient and faithful servant.

ROBERT PEEL.

"To which, with due loftiness and diplomatic gravity and brevity, there is Answer, Draught of Answer in Edward Sterling's hand, from the Mysterious Entity so honoured, in the following terms:

"'To the Right Hon. Sir Robert Peel, Bart. &c.'

"'Sir, It gives me sincere satisfaction to learn from the Letter with which you have honoured me, bearing yesterday's date, that you estimate so highly the efforts which have been made during the last five months by the *Times* newspaper, to support the cause of rational and wholesome Government which his Majesty had entrusted to your guidance; and that you appreciate fairly the disinterested motive, of regard to the public welfare, and to that alone, through which this Journal has been prompted to pursue a policy in accordance with that of your Administration. It is, permit me to say, by such motives only that the *Times*, ever since I have known it, has been influenced, whether in defence of the Government of the day, or in constitutional resistance to it; and, indeed, there exist no other motives of action for a journalist, compatible either with the safety of the press, or with the political morality of the great bulk of its readers.—With much respect, I have the honour to be, sir, &c., &c., &c.,

"'THE EDITOR OF THE "TIMES."'"

A WHALE-FIGHT.

A late Panama paper relates the following singular but authentic story of that, hitherto, peaceful monster the whale, which has, from time immemorial, permitted itself to be captured and slaughtered without giving any thing more harmful than blubber in return:

We have just received the following thrilling account of the destruction of the whale-ship Ann Alexander, Captain John S. Deblois, of New Bedford, by a large sperm whale, from the lips of the Captain himself, who arrived in this city, from Paita, on Sunday last, in the schooner Providence. A similar circumstance has never been known to occur but once in the whole history of whale-fishing, and that was the destruction of the ship Essex, some twenty or twenty-five years ago, and which many of our readers fully remember. We proceed to the narrative as furnished us by Captain Deblois, and which is fully authenticated by nine of the crew in protest under the seal of the U. States Consul, Alex. Ruden, Jr., at Paita.

The ship Ann Alexander, Capt. S. Deblois, sailed from New Bedford, Mass., June 1st, 1851, for a cruise in the South Pacific for sperm whale. Having taken about 500 barrels of oil in the Atlantic, the ship proceeded on her voyage to the Pacific. Nothing of unusual interest occurred until when passing Cape Horn, one of the men, named Jackson Walker, of Newport, N. H., was lost overboard in a storm. Reaching the Pacific, she came up the coast and stopped at Valdivia, Coast of Chili, for fresh provisions, and on the 31st of March last, she called at Paita, for the purpose of shipping a man. The vessel proceeded on her voyage to the South Pacific.

On the 20th of August last, she reached what is well known to all whalers as the Off-Shore-Ground, in lat. 5 deg. 50 min. South, lon. 102 deg. West. In the morning of that day, at about 9 o'clock, whales were discovered in the neighbourhood, and about noon, the same day, they succeeded in making fast to one. Two boats had gone after the whales the larboard and starboard—the former commanded by the first mate, and the latter by Captain Deblois. The whale which they had struck, was harpooned by the larboard boat. After running some time, the whale turned upon the boat, and rushing at it with tremendous violence, lifted open its enormous jaws, and taking the boat in, actually crushed it into fragments as small as a common-sized chair! Capt. Deblois immediately pulled for the scene of the disaster with the starboard boat, and succeeded, against all expectations, in rescuing the whole of the crew of the boat—nine in number!

There were now eighteen men in the starboard boat, consisting of the captain, the first mate, and the crews of both boats. The frightful disaster had been witnessed from the ship, and the waist-boat was called into readiness and sent to their relief. The distance from the ship was about six miles. As soon as the waist-boat arrived, the crews were divided, and it was determined to pursue the same whale, and make another attack upon him. Accordingly they separated, and proceeded at some distance from each other, as is usual on such occasions, after the whale. In a short time they came up to him, and prepared to give him battle. The waist-boat, commanded by the first mate, was in advance. As soon as the whale perceived the demonstration being made upon him, he turned his course, suddenly, and making a tremendous dash at this boat, seized it with his wide-spread jaws, and crushed it into atoms, allowing the men barely time to escape his vengeance, by throwing themselves into the ocean.

Capt. Deblois, again seeing the perilous condition of his men, at the risk of meeting the same fate, directed his boat to hasten to their rescue, and in a short time succeeded in saving them all from a death little less horrible than that from which they had twice so narrowly escaped. He then ordered the boat to put for the ship as speedily as possible; and no sooner had the order been given than they discovered the monster of the deep making toward them with his jaws widely extended. Fortunately the monster came up and passed them at a short distance. The boat then made her way to the ship and they all got on board in safety.

After reaching the ship, a boat was despatched for the oars of the demolished boats, and it was determined to pursue the whale with the ship. As soon as the boat returned with the oars, sail was set, and the ship proceeded after the whale. In a short time she overtook him, and a lance was thrown into his head. The ship passed on by him, and immediately after they discovered that the whale was making for the ship. As he came up near her, they hauled to the wind, and suffered the monster to pass her. After he had fairly passed, they kept off to overtake and attack him again. When the ship had reached within about fifty rods of him, they discovered that the whale had settled down deep below the surface of the water, and, as it was near sundown, they concluded to give up the pursuit.

Capt. Deblois was at this time standing in the night-heads on the larboard bow, with craft in hand, ready to strike the monster a deadly blow should he appear, the ship moving about five knots; when working on the side of the ship, he discovered the whale rushing towards her at the rate of fifteen knots! *In an instant, the monster struck the ship with tremendous violence, shaking her from stem to stern!* She quivered under the violence of the shock, as if she had struck upon a rock! Capt. Deblois immediately descended into the forecastle, and there, to his horror, discovered that the monster had struck the ship about two feet from the keel, abreast the foremast, knocking a great hole entirely through her bottom, through which the water roared, and rushed impetuously! Springing to the deck, he ordered the mate to cut away the anchors and get the cables overboard, to keep the ship from sinking, as she had a large quantity of pig-iron on board. In doing this the mate succeeded in relieving only one anchor and cable clear, the other having been fastened around the foremast. The ship was then sinking rapidly. The captain went to the cabin, where he found three feet of water; he, however, succeeded in procuring a chronometer, sextant and chart. Reaching the decks, he ordered the boats to be cleared away, and to get water and provisions, as the ship was keeling over. He again descended to the cabin, but the water was rushing in so rapidly, that he could procure nothing. He came upon deck, ordered all hands into the boats, and was the last himself to leave the ship, which he did by throwing himself into the sea and swimming to the nearest boat! The ship was on her beam-ends, her topgallant yards under water. They then pushed off some distance from the ship, expecting her to sink in a very short time. Upon an examination of the stores they had been able to save, he discovered that they had only twelve quarts of water, and not a mouthful of provisions of any kind! The boats contained eleven men each, were leaky, and night coming on; they were obliged to bail them all night to keep them from sinking!

Next day, at daylight, they returned to the ship, no one daring to venture on board but the captain, their intention being to cut away the masts, and fearful that the moment the masts were cut away the ship would go down. With a single hatchet, the captain went on board, cut away the mast, when the ship righted. The boats then came up, and the men, by the sole aid of spades, cut away the chain cable from around the foremast, which got the ship nearly on her keel. The men then tied ropes round their bodies, got into the sea, and cut a hole through the decks to get out provisions They could procure nothing but about five gallons of vinegar and twenty pounds of wet bread. The ship threatened to sink, and they deemed it imprudent to remain by her longer, so they set sail in their boats and left her.

On the 22nd of August, at about five o'clock P. M., they had the indescribable joy of discerning a ship in the distance. They made signal, and were soon answered, and in a short time they were reached by the good ship Nantucket, of Nantucket, Mass., Capt. Gibbs, who took them all on board, clothed and fed them, and extended to them in every way the greatest possible hospitality.

On the succeeding day, Capt. Gibbs went to the wreck of the ill-fated Ann Alexander, for the purpose of trying to procure something from her, but as the sea was rough, and the attempt considered dangerous, he abandoned the project. The Nantucket then set sail for Paita, where she arrived on the 15th of September, and where she landed Capt. Deblois and his men. Captain Deblois was kindly and hospitably received and entertained at Paita, by Captain Bathurst, an English gentleman residing there, and subsequently took passage on board the schooner Providence, Captain Starbuck, for this port, arriving here on Sunday last, the 12th instant.

At Paita, Captain Deblois entered his protest at the U. S. Consulate, which was authenticated by the following officers and seamen, on board at the time of the disaster; the two officers and the rest of the crew having shipped on board other vessels: Joseph R. Green, first mate; James Smith, third do.; John Morgan, carpenter; James Riley, cooper; Jas. McRoberts, John Smith, William Smith, Henry Reid, and Charles F. Booth, seamen.

Gleanings from Foreign Publications.

The *London Weekly News*, speaking from the fulness of self-knowledge, says: "A wit is not easily silenced." Then follows our contemporary's illustration: M. Sidhir, the Viennese humourist, demanded, on his trial, whether it was treasonable to repeat the Lord's Prayer; for the words "deliver us from evil," might be construed into a prayer to get rid of the Goverment!

—Cockney Erudition.—The city was commonly called Cocksigne. The name Cockney—a spoilt or effeminate boy—one cockered and spoilt—is generally applied to people born within the sound of the bells of St. Mary-le-Bow. When a female Cockney was informed that barley did not grow, but that it was spun by housewifes in the country, "I knew as much," said the Cockney, "for one may see the threads hanging out of the ends thereof."—*Handbook of Modern London.*

—A Few Words on Wines.—"At this season of the year," as the advertisements and puffing paragraphs have it, we feel it a duty to give the world a little advice upon wines, and if we cannot tell them exactly what to drink or what to buy, we can at least inform them what to avoid. We therefore offer the following hints: 1. When you see wine advertised as "an excellent wine to lay down," be sure it is not worth picking up. 2. When you read of a wine that is described as "full of body," you may conclude that it is half spirit. 3. When you hear of wine being particularly "racy," you may set it down as sloe. 4. When you are asked to purchase a fine old sherry with a nutty flavour, the notion of the nut may suggest the idea of what is commonly termed a cracker. 5. When you read of a wine with much beeswing, you may fairly say "buzz!"—*Punch.*

—How Kossuth Mastered the English Language.—It is stated that, in 1837, when condemned to three year's imprisonment by the Austrian Government, Kossuth, at the end of the first year, was offered the choice of one book for his amusement, provided that it was not political. He replied that if instead of one they gave him three, they should not be political; he selected the English Grammar, Walker's Pronouncing Dictionary, and Shakespeare. Having obtained these books, he commenced the study of the language, beginning by the translation of the first scene of the "Tempest," which occupied him about a fortnight. This was in 1837, and how well he now understands the language is shown by his speeches.

—M. Kossuth and Walter Savage Landor.—Writing to Mr. Landor in acknowledgement of an address from the citizens of Bath, M. Kossuth expresses his peculiar satisfaction at seeing at the head of the names one so distinguished and so long familiar to him as Mr. Landor's. In reply, that accomplished writer says: "The chief glory of my life is that I was the first in subscribing for the assistance of the Hungarians at the commencement of their struggle; the next is that I have received the approbation of their illustrious leader. I, who have held the hand of Kosciusko, now kiss with veneration the signature of Kossuth. No other man alive could confer an honour I would accept."

The *Preston Chronicle* says that a superstition prevails in Rossendale that "any one may be cured of the troublesome and unpleasant pain of the tooth-ache, by taking the trouble to write a copy of the annexed document, and keep it upon the person. 'As Peter sat in Jaruselem Gates Jases pased by and seth Peter wat elest thou I ham sore a prised with the tooth eack Jases seth Peter arise and follow thou me and hee catpeth this and caarith it obout him shill never have the tooth eack any more in the name of thee father and son and Oley Gust Amen Amen Amen.'" An aged woman, who has a number of children, went to the owner of this recipe, and obtained from him a copy for her son. He ordered her to put it about his clothing. His mother was so superstitious as to sew it to one of his braces, and the boy says that he has been "agread deol better sin he geet this papper!"

—Pleasing, Agreeable, Pleasant.—"Pleasing" is generally applied to manners and personal appearance. "Agreeable" is used in a more extended sense; when applied to manners and conversation, it differs from "pleasing," and means rather clever and entertaining, than winning and attractive. Many persons are "agreeable" who are not "pleasing;" and a "pleasing" person may not have sufficient spirit or variety of conversation to constitute him "agreeable." "Pleasing" refers more to the person himself; "agreeable" to the impression made on others. "Pleasant" was formerly used to describe merry and playful conversation, or a jocose and lively person; now it is in a great measure withdrawn from persons and applied to things—to weather, scenery, situations, &c. "Pleasantry" is a relic of the old meaning. The French *plaisant* has changed all in a reverse way. Formerly it meant what *we now* call pleasant, as may be seen from the "Lament of Mary Queen of Scots—

> Adieu, *plaisant* pays de France!

Now, it has come to mean, as it did formerly with us, "funny" or "jocuse."—*Archbishop Whatley's Selection of Synonyms.*

—Puns.—They are, I believe, what I have denominated them—the wit of words. They are exactly the same to words which wit is to ideas, and consist in the sudden discovery of relations in language. A pun, to be perfect in its kind should contain two distinct meanings; the one common and obvious, the other more remote; and in the notice which the mind takes of the relation between these two sets of words, and in the surprise which that relation excites, the pleasure of a pun consists. Miss Hamilton, in a book on education, mentions the case of a boy so very neglectful that he could never be brought to read the word *patriarchs*; but whenever he met with it, he always pronounced it *partridges*. A friend of the writer observed to her, that it could hardly be considered as a mere piece of negligence, for it appeared to him that the boy, in calling them partridges was *making game* of the patriarchs. Now, here are two distinct meanings contained in the same phrase; for to make game of the patriarchs is to laugh at them; or to make game of them is, by a very extravagant and laughable sort of ignorance of words, to rank them among pheasants, partridges, and other such delicacies, which the law takes under its protection and calls *game*; and the whole pleasure derived from this pun consists in the discovery that two such meanings are referable to one form of expression.—*Sydney Smith's Moral Philosophy.*

—Slavery in the East and in the West.—Slavery in the East has never reached the depth of crime and degradation to which it has been brought in Christian lands. Servitude does not necessarily imply degradation. The eastern slave has never been transformed into a mere movable chattel; he has never been wholly deprived of the right of accumulating and enjoying property; with the removal of his chains the ban of Slavery falls; manumission is encouraged, and with good abilities and good conduct, promotion and prosperity are almost sure to follow. Between the slave and his master there is no antipathy of race or colour; he does not feel himself a stranger in the land; but he sees around him many who were once as he is, and who have risen from one preferment to another, till they have obtained the highest rank in the country. The Mameluke chieftains were all originally slaves, and an officer who lately married the old Pacha's daughter at Cairo was also originally a slave; even two or three such instances in a century will strip servitude of half its horrors; and it is impossible for the Moslem who knows that, perhaps, his mother and wife were once bought and sold, can treat with much contempt those that fill the same position in the social scale. A man's spirit is never broken, nor his human sympathies utterly eradicated, till all hope be crushed; and this can only happen in *Christian* servitude!—*Dublin University Magazine.*

—The Fables about Burns.—Mr. Thomas Cooper, the author of the *Purgatory of Suicides*, in a letter to the *London Leader*, says that in the cemetery at Dundee, he visited the grave of poor Thom. As he looked around, he felt that if poor Willie, now his suffering is o'er, could be conscious of where he lies, he would be glad. "It is, indeed, a beautiful spot; flowers bloom on the rich sward, the princely Tay stretches his broad arm on the one side, and swelling hills encircle the prospect on the other; it is just where a poet's grave should be—and a very lowly headstone records that a 'Poet' lies there; but they have misspelt the name; 'it is Thoms,' instead of *Thom*; and the stone is so mean and small, that it compels you to remember poor Willie's poverty and suffering, even if you would forget all!" Mr. Cooper paid a visit also to the remaining sister of Burns, Mrs. Bagg, a highly intelligent woman, eighty years of age. The visitor mentioned the reports that are current respecting the intemperance of Burns. "I never," said the old lady, saw my brother either drunk; or showing any such feeling; nor did I ever know him to be drunk. It is true, I saw but little of him in the latter part of his life; but his son, who was with him almost constantly, told me that he never saw his father the worse for liquor but once; and then he was sick, but then perfectly conscious. His son also said, that though his father would come home late during the latter part of his life, when they lived in Dumfries; yet he was always able to examine bolts and bars, went to observe that the children were right in bed, and always acted like a sober man. Besides, how was it possible that my brother could be a drunkard, when he had so small an income, and yet, a few weeks before his death, owed nobody a shilling? That speaks for itself."

—Fair Rosamond.—There is a pretty story told of this reign, called the story of Fair Rosamond. It relates how the King doted on Fair Rosamond, who was the loveliest girl in all the world; and how he had a beautiful bower built for her in the park at Woodstock; and how it was erected in a labyrinth, and could only be found by a clue of silk. How the bad Queen Eleanor, becoming jealous of Fair Rosamond, found out the secret of the clue, and appeared before her one day, with a dagger and a cup of poison, and left her to the choice between those deaths. How Fair Rosamond, after shedding many piteous tears, and offering many useless prayers to the cruel Queen, took the poison, and fell dead in the midst of her beautiful bower, while the unconscious birds sang gaily all around her. Now, there *was* a fair Rosamond, and she was (I dare say) the loveliest girl in all the world, and the King was certainly very fond of her, and the bad Queen Eleanor was certainly made jealous. But I am afraid—I say afraid, because I like the story so much—that there was no bower, no labyrinth, no silken clue, no dagger, no poison. I am afraid that fair Rosamond retired to a nunnery near Oxford, and died there, peaceably; her sister-nuns hanging a silken drapery over her tomb, and often dressing it with flowers, in remembrance of the youth and beauty that had enchanted the King when he too was young, and when his life lay fair before him.—*Dickens' Household Words.*

—How to Know the Day of the Month.—If any writer deserves immortality it is the author of the lines commencing "Thirty Days hath September." Peers and commons, judges and advocates, clerks in court, and schoolboys in class, each, we dare be sworn, in moments of difficulty, revert to that memorable effusion. In our enthusiasm, we can almost use the language of Wolfe after repeating Gray's elegy—"I would rather be the author of that poem than take"—"Quebec," Wolfe said, but that it is inapplicable, no we will say, than take into custody, in the midst of his admirers, Archbishop M'Hale, the Lion of Judah. The verse, however, only tells us the number of days in a month; *Notes and Queries* gives us another, by which we can tell the *day of the month*. "Many persons," says